



CISAC Annual Report 2004



CLOSER TO ALL OUR MEMBERS

Editorial

“This is the first ever CISAC Annual Report. Until now, the Confederation has never presented such a comprehensive document to its members; one that summarizes and clarifies the work CISAC has accomplished over the past year- from its headquarters in Paris, its Regional Offices, and through its Committees and Councils. This report allows each member society to better understand CISAC’s policies and monitor its achievements worldwide.

However, this year’s Annual Report is unique in that it may be restating some information already communicated at the General Assembly in Seoul last October 2004, less than one year ago. Beginning in June 2006, the report will truly be an annual one.

The 2004 CISAC Annual Report heralds our reinvigorated spirit since the adoption of new CISAC statutes in Seoul in October 2004. Beyond these statutory changes, CISAC affirms its resolve to be a more dynamic international organisation, serving all its members regardless of size, geographic location, or repertoire. The CISAC General Assembly has now become an annual event during which member societies will be given real decision-making power on the future of their Confederation. Representation by authors, region and repertoire within the relevant CISAC bodies has also been statutorily reinforced. While these changes will help CISAC face the future with a more effective governing structure and approach, the fundamental goals of the Confederation – the support and protection of its authors’ societies worldwide – will not change.



As we approach the General Assembly in June 2005, we are 207 societies strong representing 109 countries. These numbers are still growing as new collective management organisations continue knocking on the door of the Confederation hoping to be included in its long-established international network – benefiting from its expertise, support, and tools shared by the entire Confederation.

In an expanding digital world where culture is being consumed at breakneck speed, creators, now more than ever, need a confederation of authors’ societies that is both credible and influential on an international scale to fight for their rights. Building on our strengths of reciprocal representation, standardization, digital rights management initiatives, cooperation, and solidarity around the common cause of creators’ rights, CISAC continues advancing towards its goals.”

Eric Baptiste
CISAC Director General

9 June 2005

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A Better CISAC for a More Demanding Era

2004 Review of CISAC Major Activities



*2004 will mark the history of CISAC
as a year of changes with :*

- The adoption of new statutes to guide the Confederation;
- Positive results in CISAC's regional strategies;
- Successes in the collective management of authors' rights notably in the defence of cultural diversity, the adoption of common formats, and the support to the development of visual arts;
- The emboldened fight to ensure the lawful use of creative works on the internet;
- The launching of CIS-Net, the network of databases on musical works.

■ CISAC Constitutional Reform

In recognition of the need to look at ways for CISAC to evolve to meet the challenges, the Executive Bureau empowered a group of seven of its members – known as the “G7” and composed CEOs from societies representing a broad cross-section of the membership – to work with the CISAC secretariat and propose recommendations for change. Their definition of CISAC corporate goals (see insert) and proposals for changes, widely circulated and debated among CISAC bodies and members, were approved in an historic and almost unanimous vote by the General Assembly in Seoul in October 2004. The vote marked the first time since 1966 that major changes have been made to the CISAC statutes.

The legal implications of CISAC change have manifested themselves in far-reaching reforms in CISAC’s constitution, which include:

- The introduction of an annual General Assembly, open to all members, dealing with CISAC’s internal affairs and replacing the Administrative Council and the Biennial Assembly. Chairs of the Authors Councils and Regional Committees are invited to present reports to the Assembly.
- A Board of Directors has replaced the former Executive Bureau and will meet at least three times a year, with members being elected for a three-year term.
- The Congress has been transformed into an outward facing event taking place every 3 years.
- The role of the authors in CISAC has been strengthened. The President of CISAC, who shall be an Author, now chairs the General Assembly and has a standing invitation to attend the Board of Directors. Questions relating to the moral and professional interest of creators should be first considered by the Authors Councils, who can now meet annually, if they so choose.
- The Regional Committee system has been strengthened and empowered to make relevant decisions.
- There is a new Legal Committee consisting of 20 lawyers, who are either employed or retained by member societies and involved on a regular basis in collective administration.
- Regional and repertoire representation on the relevant CISAC bodies has been statutorily assured, with a minimum of 2 seats on the Board reserved for each of the music, DLV and AGP repertoires as well as for each region.
- A more precise definition of what CISAC meant by a “society administering authors’ rights” has been adopted in order to define clear membership criteria and categories. CISAC *Ordinary members* are now the organisations that effectively and efficiently collect and distribute copyright royalties to rights owners. While *Associate members* are organisations that do not collect or distribute monies but work for the advancement of rights of creators. *Provisional members* are candidates for ordinary membership status.

CISAC Corporate Goals adopted by the General Assembly (October 2004)

“To advance the protection of creators and strengthen the network of copyright societies by:

- Adopting and implementing the technical quality and efficiency standards in order to improve the interoperability of societies;
- Supporting (in consultation with members) the strategic development of societies in each region and each repertoire;
- Maintaining a central repository of data to assist in providing for the efficient exchange of relevant information between societies;
- Maintaining world-wide involvement in the betterment of national and international copyright legislation and practice;
- Promoting awareness of societies and the principles of collective administration.”

- The benefits of full CISAC membership (Ordinary and Provisional status) have been secured in granting them the exclusive access to the whole range of CISAC services and vote to the General Assembly (except for Provisional members). Associate members can attend the General Assembly on a non-voting basis but cannot attend the committees.

The implementation of the constitutional reforms summarised above will enable CISAC to respond proactively to the actual challenges and develop its activities. It is recognised that the process of reform needs to be viewed as an on-going “work in progress”. To this end, the Board of Directors, meeting in January 2005, decided to create a “Governance Working Group” that has been asked, with the assistance of the Legal committee, to monitor the implementation of the new statutes and to propose any adjustments that may be needed, notably to the 2006 General Assembly.

■ Projects and Mandates of CISAC Bodies

In order to make its meetings more productive, the Board of Directors has decided in January to establish two permanent committees:

- The “**CIS Oversight Committee**” will act as a facilitator between the CSB and the Board.
- The “**Finance Committee**” will be responsible for the integrity of CISAC’s budgetary and financial management and reporting processes.

As required by the new statutes, the various CISAC bodies (Council of Authors, Technical Committees and Regional Committees) have since October 2004 started to discuss and review their **mandates** and/or to amend their **internal rules** for adoption by the Board of Directors. The first to submit its renewed mandate and internal rules was the Asia-Pacific Committee in January 2005.

In 2004 the CISAC Board of Directors recognised the need for a strategic approach to training and development on a global level, and the need to assist developing collective management societies. A “**Training and Development**” project was therefore launched, managed, until June 2005, on CISAC’s behalf by the MCPS-PRS Alliance under the leadership of John Hutchinson. The aim of this CISAC “Training and Development” project is to identify and analyse the societies’ training and systems requirements in each region. The prime objective is to expedite the global implementation of the CIS network (CIS-Net), to secure the adoption and implementation of common standards and procedures and to develop skills within as many societies as possible. The agreed training proposals will be implemented by the CISAC secretariat as of June 2005, and will be financed by the “CISAC Training and Development Fund” to which member societies will be able to contribute voluntarily.

■ Overview of CISAC’s Major Activities in 2004 and Early 2005

- While economic circumstances were difficult in 2003, the figures for CISAC members’ collections are a source of satisfaction with a 5,5% increase in rights collected, after virtual stagnation with a 0.3% increase in 2002 over 2001. The CISAC survey on **worldwide collections** shows that more than **6.6 billion euros** (2002 value) were collected in 2003 by CISAC member societies (€6,667,951,271). Overall, authors’ rights, in 2003, seem to be slowly recovering from an economic crisis that struck many parts of the world in 2001.
- In **Africa**, the “Partnership for Progress” (P4P) is beginning to bear fruit, both in terms of collection and

on society governance and management, which allows for a more optimistic outlook on prospects for collective management on the African continent. 2004 marks the completion of the second phase in this long-term strategy and is characterized by an impressive number of activities conducted by CISAC, often in coordination with WIPO, its main partner in this strategy. During the third and final phase of this strategy, expected to start in 2005, the participating societies will continue to benefit from the P4P on condition they can demonstrate their acceptance of the principles of the programme, in particular financial responsibility, good governance, and management that is up to international standards.

- The CISAC Delegation for the **Asia-Pacific** Region focused its efforts in 2004 on a few priority countries to help existing collective management societies operate more efficiently: China, South Korea, Indonesia, the Philippines, Taiwan, Thailand and Vietnam. In 2005, China, South Korea, the Philippines, Thailand and Vietnam will continue being priority countries for CISAC, along with Brunei and Malaysia. In parallel to these priority objectives, CISAC is pursuing in the region its lobbying missions, legal and technical assistance, its training programme and feasibility studies on the creation of collecting societies, particularly in cooperation with WIPO.
- The return of the **CISAC Congress** to Asia after 20 years marked the importance of this region in the world of authors' rights. The Congress took place in Seoul (South Korea) at the invitation of South Korean music rights organization KOMCA, with the participation of KOZA and SACK. The chosen theme for the Congress (October 18 to 21, 2004) was "**Championing Creators and their Rights: supporting creators and cultures in a global market through the work of Authors' Societies**". A high number of "small" CISAC member societies could attend the event thanks to CISAC financial support.
- Despite the region's economic difficulties, Latin American collective management societies not only saw their collections and distributions increase in 2004, but also the number of existing organisations. Several societies were founded and are starting their activities, bringing to 37 the number of CISAC members in **Latin America**. The CISAC Latin American Regional Delegation concentrated in 2004 on the following priorities (to be maintained in 2005): encouraging the creation of visual arts societies; reinforcing Central American societies; auditing and improving societies' management and operations; and providing legal assistance and monitoring of legislative changes on authors' rights.
- In the **Caribbean**, CISAC is currently working on meeting the expectations of English-speaking Caribbean members of CISAC for the preparation of a strategic plan for the Region. The objectives are to try to help in the development of collective management in the region and guarantee that Caribbean societies can benefit from economies of scale by pooling their resources through Caribbean Copyright Link CCL.
- Since the creation of the **European** Regional Delegation in September 2003, the Director of European Affairs and the President of the CISAC European Committee have focused most of their activities on the implementation of CISAC Strategy for Central and Eastern Europe and the Commonwealth of Independent States. Priority went to collective training programmes on themes specific to the Region's societies to enable them to rapidly improve their management.
- In line with its regional strategies tailored to respond to the needs of societies, CISAC is committed to supporting the development of **the visual arts repertoire** in Latin America, in Central and Eastern Europe as well as in Asia. For Latin America, the CIAGP adopted a 3 to 5 year Work Plan calling for a broad range of concrete initiatives including financial support for creating visual arts societies, on-site technical training led by experts from foreign societies, investment in IT equipment, and creation of a common image bank. In Asia, the Regional

Delegation will pursue its evaluation of the potential for collective management of visual arts, particularly in the context of the online exploitation of works. Lastly dedicated trainings and legal assistance are being organised by the Regional office for Eastern and Central European visual arts societies.

- For several years, the **defence of cultural diversity** has been an issue of major concern and much discussion in CISAC forums. In a resolution adopted at its General Assembly in October 2004, CISAC outlined the concerns and expectations expressed by all creators, notably through CIAM and CIADLV, and fully supported the highly-anticipated UNESCO “Convention on the Protection of the Diversity of Cultural Contents and Artistic Expressions”.
- Parallel to the defence of cultural diversity is another crucial issue, the fight against piracy. CISAC is engaged in various initiatives to impede the spread of internet piracy. From signing an **anti-piracy declaration** along with international organizations representing artists, producers, distributors and the telecommunications sector to intervening with other rights holders in the case of **MGM Studios Inc. et al. v Grokster Ltd**, CISAC clearly signalled its intention to combat the plague of internet piracy. In addition, a **BIEM - CISAC On-line Anti-Piracy Working Group** has been reviewing the current nature of internet piracy and will make a number of recommendations to the Board of a short term nature and long term solutions of both a legal and technical nature. Technology itself can also play a significant part in allowing rights owners to protect their content and to develop more compelling legitimate services. To this end, the development of the **Common Information System** (CIS) has remained one of the main priorities of CISAC for the period 2004-2005.
- 2004 marked a decisive year in the development of the CIS plan with the launch of **CIS-Net**, the network of databases on musical works. CISAC has since then entered into an information phase organising regional CISAC information days (in Eastern and Central Europe, Latin America, Africa and Asia) to ensure that all member societies are aware of the latest development of the CIS tools and their functionality. With CISAC’s experience gained by CISAC in setting up the first phase of CIS-Net for the musical repertoire, CISAC is now concentrating its efforts on additional functionalities and other repertoires.
- 2004 also marked a decisive step in the development of the CIS plan for the CIS repertoire. The transfer of ownership of **IDA** database to CISAC has been approved in principle in 2004 and should be finalised by 2005. This should enable the creation of a universal audiovisual works database. In parallel, **ISAN-IA**, the International Agency that administers the ISAN system, is now fully operational. The first two Registration Agencies were appointed in 2004 and additional agencies are scheduled to join in 2005. Since September 2004 and the launch of a website search engine (www.isan.org), the ISAN database is accessible to the public, enabling users to obtain the ISAN of more than 100 000 audiovisual works. A complementary standard, known as Version Extension, is currently being developed to identify what version of the work is shown.
- In the field of textual works, the standardisation process (**ISTC**) is about to reach the final phase. In October 2004, ISO appointed the consortium formed by CISAC, Nielsen Book Data and R.R. Bowker as the official ISTC Registration Authority, that is to say the International Agency for the management of the ISTC standard. The Consortium is currently working on the implementation of the ISTC system.
- Complementary to the main thrust of CIS has been the Music Industry Integrated Identifiers Project – known as **MI3P**. The two major identifiers composing the MI3P standard (**MWLI** - Musical Work Licence Identifier, and Grid - Global Release Identifier) are now available. We are currently finalizing the version 1 of the MI3P specifications. It is anticipated that the MI3P standard will be made available to a first group of societies and on-line retailers for a test pilot upon the signature of a Binding Memorandum of Understanding between CISAC, BIEM, IFPI and RIAA scheduled for the end of July 2005.

- With the implications of new technologies, 2004 has been a period of **intense legal activity** for CISAC with, for example, the Amicus Brief filed with the US Supreme Court in the Grokster case; or CISAC's involvement in rightsholders' coalitions in the standing committees of WIPO or the World Summit on the Information Society (WSIS), not to forget UNESCO, notably on the project treaty on Cultural Diversity. CISAC has also been extremely active in encouraging and supporting its member societies and several CISAC interventions in writing and in person have been made on behalf of its members in a number of countries.
- In order to help CISAC members in their strategies and negotiations with users, the Broadcasting Committee has been studying market trends, business models and principles of licensing agreements of the **new forms of transmissions of works** such as internet, mobile phone services or digital terrestrial television.
- One of the main recent achievements of the Distribution Committee is the global **database on the distribution methods and rules** implemented by CISAC member societies. All CISAC members can have secure access to this online tool for sharing knowledge on distribution rules, administered by CISAC since mid-2003. With the music categories successfully in place, CISAC will now turn its attention to including other repertoires in the Distribution methods database as well as to developing a new version of the database with improved content.
- In the light of the practical difficulties in fully implementing the provisions of the Santiago and Barcelona Agreement for distribution of cross-border licensing revenue from online exploitation of musical works, CISAC adopted in June 2004 the proposal of the Distribution Committee for a temporary solution for **distributing royalties from online use**, the so-called "Hong Kong resolution".
- Extensive work was carried out from 2003 to 2005 to improve the documentation and distribution formats. On the one hand, The Distribution Committee successfully merged the existing distribution formats into a common format in order to optimise distribution processes between societies and improve information exchange. Societies should be able to introduce the **Common Royalty Distribution format** for distributions of royalties collected after 1 July 2006. On the other hand, the CT-DLV developed the electronic **documentation exchange file format for audiovisual works** which is now an official format to be used by all audiovisual societies. A similar documentation exchange format for dramatic works is currently being considered.
- CISAC professional bodies, the Councils of Authors, have much discussed recently the **relationships between authors and publishers or producers**. The CIAM is concentrating its efforts on producing some recommendations for contractual relations between authors and publishers (good practices, minimum requirements and legal advice). The CIADLV considered the legislation and contractual practices regarding audio-visual works in Europe and recalled to what extent authors' societies and CISAC have an important role to play with regard to the model contract for the production of audio-visual works in order to advise and support authors – notably "inexperienced" ones - when negotiating with producers. The CIADLV also reviewed the results from a survey on the relationship between authors and publishers regarding audio-visual use of a written and published work. The CIADLV also recommended that all types of revenue (ticket sales, subsidies, sponsoring, etc) generated from the use of dramatic authors' works be taken into account in calculating their royalties.

- Much has been done in 2004 to improve CISAC communication. There are now more documents and information resources available to CISAC members than ever before, nearly all of which can be accessed via the **CISAC website**: www.cisac.org. With improvements made this year to the CISAC website's search capabilities, it is now easier than ever for CISAC members to find those documents and more in just a few clicks. In addition you can now access all CISAC resolutions and decisions since its foundation in 1926 as well as all documents (in three languages) related to CISAC meetings dating back to 2000.
- In addition to the much appreciated CISAC News (trilingual quarterly magazine) and CISAC Communications (brief overview of the decisions and discussions of each CISAC meeting), the Communication Department launched in 2004 an additional communication tool to improve the information network between members. The weekly **BIEM-CISAC Headlines** reviews the latest news concerning BIEM and CISAC's members and repertoires.





Survey of CISAC Members' Collections Worldwide (2001 – 2003)



Every year, CISAC studies the evolution of its member societies' collections worldwide. These figures, both global and per region, give a true picture of the revenues collected worldwide from the management of authors' rights, in particular, the analysis of the annual variations over the past three years.

This study is based on the amounts collected by CISAC members in their national territories for the years 2001 to 2003 (in constant euros, 2002 value). These figures, transmitted to CISAC by its members, represent only the rights collected by CISAC members on their national territories (207 societies in 109 countries) and do not take into account the revenue and expenses resulting from international exchanges. (Please refer to: 'Methodology of the CISAC Study')

Key Figures for 2003

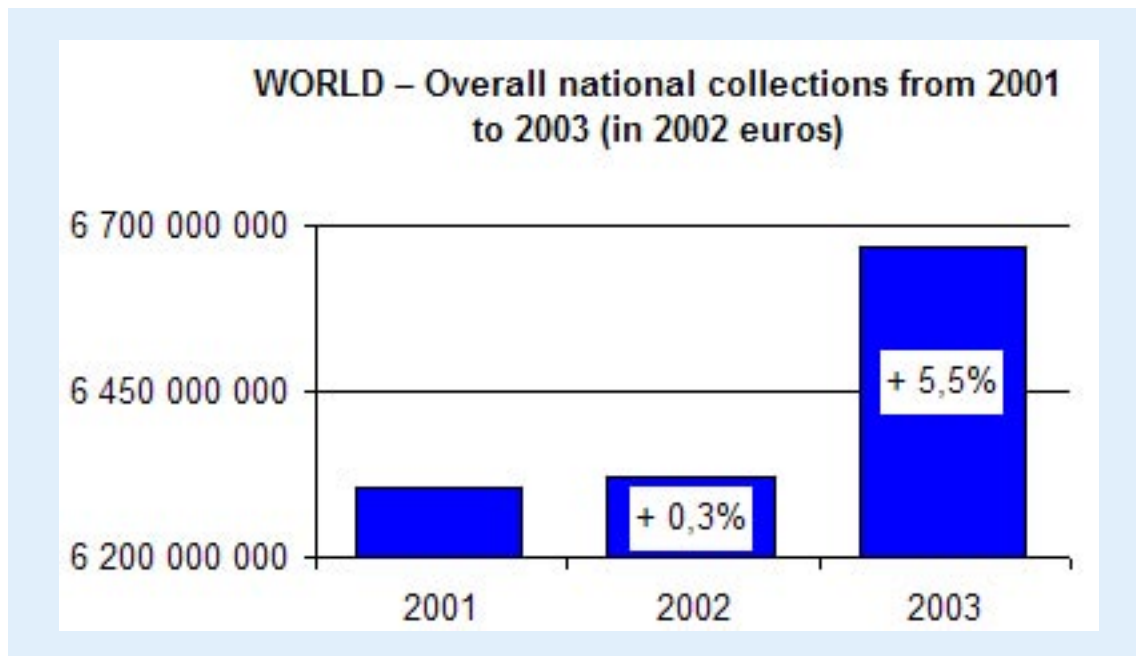
Worldwide collections in 2003: €6,667,951,271
Variation from 2001 to 2003: +5.8%
Europe = 57% of rights collected worldwide

■ 5.5% Increase Worldwide in 2003

More than **6.6 billion euros** (2002 value), such is the total amount total collected by CISAC member societies in the course of their rights management activities, in 2003 (€6,667,951,271).

In 2003, the total amount collected rose by 5.5% (in constant euros) over 2002, after virtual stagnation with a +0.3% increase in 2002 over 2001.

Europe, up 4.4% over 2002, accounts alone in large part for the increase in 2003 because of its weight in the total collected (rights collected in Europe represent nearly 57% of the worldwide total).



For the 3 reference years (2001-2003), the authors' rights collected worldwide rose by 5.8%.

The most dynamic regions in this period were Central Asia (+205%), East Africa (+104%), the Caribbean (+46%) and Central and Eastern Europe (+42%).

The sharp rises in these regions partially make up for the major drops from 2001 to 2003 in Latin America (-21.4%) despite an increase in 2003, as well as in Central Africa (-12%) and a slightly lesser increase especially in large regions, like North America, which progressed only by 1.9% in this period (+7%, however, in 2003 over 2002).

Europe and Asia Pacific continue their progression (+8.8% and +6.8% in the period respectively). Although it remains low, the weight of Africa has risen in the increased worldwide total and the collection figures rose 18.4% from 2001 to 2003.

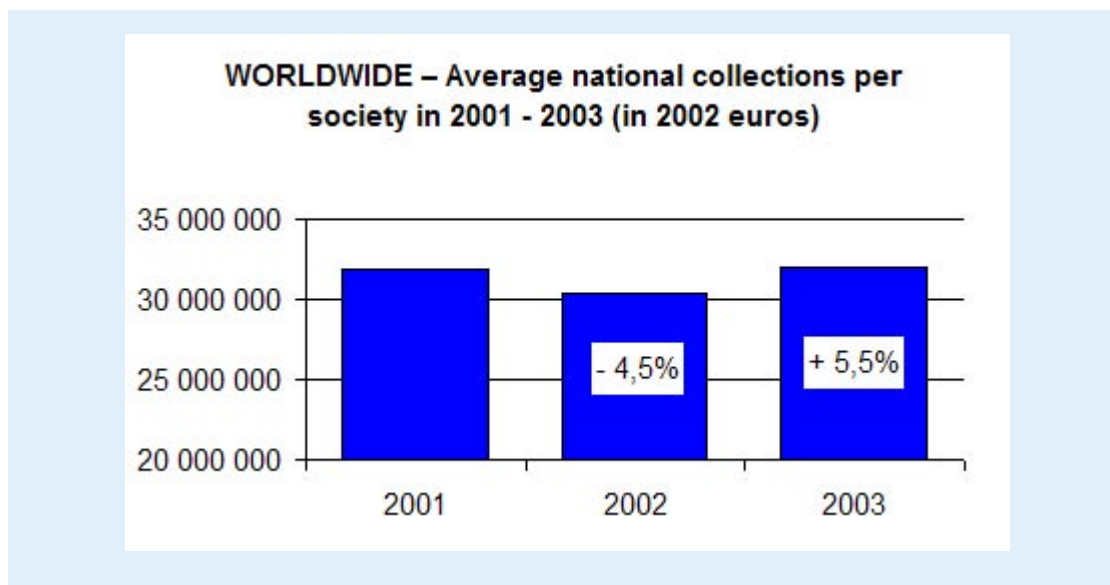
The figure of 6.5 billion euros that seem to have constituted an upper limit for several years was exceeded in 2003 (in 2002 euros).

	Euros (2002 Value)			Variation 2003/2001
	2001	2002	2003	
AFRICA	20 567 276	21 484 837	24 352 744	18,4%
NORTH AMERICA	1 621 527 621	1 541 963 692	1 652 121 736	1,9%
LATIN AMERICA	206 423 711	136 950 517	162 307 453	-21,4%
ASIA PACIFIC	974 047 253	991 587 987	1 039 962 160	6,8%
EUROPE	3 481 272 209	3 629 171 247	3 789 207 179	8,8%
TOTAL amount collected	6 303 840 072	6 321 160 282	6 667 953 274	5,8%

■ A Worldwide Upward Trend

Overall, in volume, the upward trend for collections became generalized in 2003, after some sharp drops in 2002, thereby signalling a general recovery. This is the case particularly for Latin America, which rose (+18.5%) in 2003 after dropping (-33.7%) in 2002. The same holds true for North America (+7%) in 2003, when 2002 was characterized by a substantial drop (-5%) in constant euros. The overall economic recovery in these two regions largely explains these results.

The good results in Central Asia (+205%) and Central and Eastern Europe (+42%) can be explained by the genuine development of efficient collective management.



Average national collections (total collections / number of societies) by CISAC member societies in their territory of operation also increased by 5.5% in 2003 after a 4.5% drop the previous year.

The 2002 figure is not very representative, however, since some ten new societies were taken into account between 2001 and 2002 following the arrival of new members. The societies concerned are often smaller in size and younger, which naturally pulls down the average.

Conversely, the figure for 2003 can be considered significant for most regions and worldwide, since it is based on the same number of societies.

The figure for 2003 confirms the reality of the rise. This indicator enables variations that could be caused by a single major society in a region to be relativised. It also makes it possible to assess the weight of new societies in a given region.

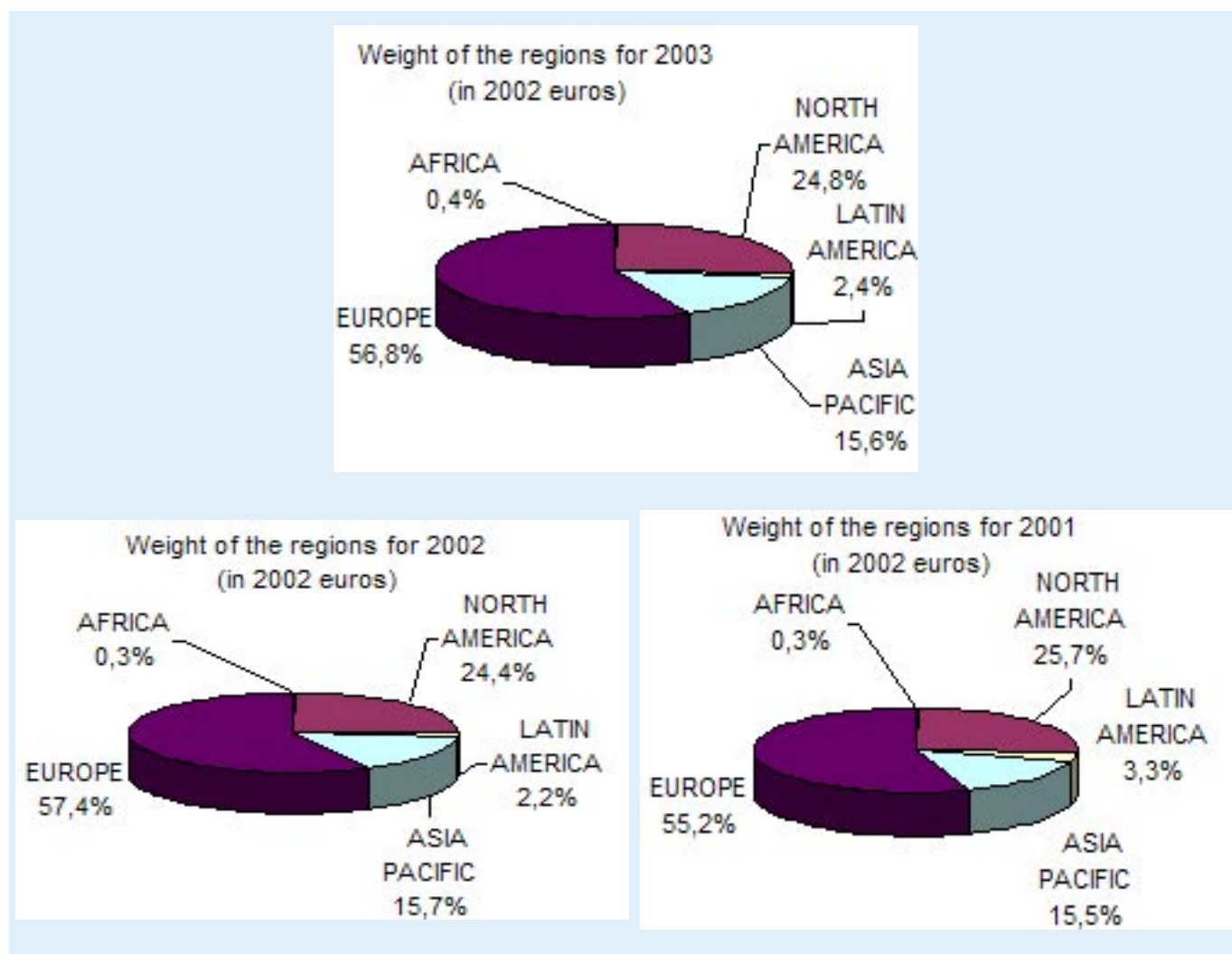
■ The Weight of Each Region in Worldwide Collections

Europe's share of the CISAC member societies' national collections remains at a very high level, despite a slight fall (-0.6%), since Europe represented, in 2003, 56.8% of total collections. This results in large part from the resilience, in a very difficult environment, of Western European societies (+2.4% in 2003) and the sharp rise over several years in Central and Eastern European countries (+22% in 2003 and +16% in 2002).

The weight of North America (24.8%) and Latin America (2.4%) in the amounts collected nationally rose slightly, but remained below their level of 2001 (25.7% and 3.3% respectively).

The weight of the Asia Pacific and Africa regions remains unchanged overall, approximately 15.6% and 0.4% respectively.

Detailed analysis of the evolution of collections in each region is shown in the section on CISAC actions in the world, 'Reinforcing the worldwide network of authors' societies'.



Economic Recovery

Overall, authors' rights, in 2003, seem to be slowly recovering from an economic crisis that struck many parts of the world in 2001. Logically, the media, great users of works, form an activity sector that traditionally takes very rapid advantage of economic recovery. Considering the weight of public performance rights in the sums collected by member societies, authors' rights, in general, are very sensitive to economic growth.

This sensibility of public performance rights to economic growth has greater impact than the fall in mechanical reproduction rights linked to record sales in recent years. Indeed, mechanical reproduction rights have far less weight than public performance rights in the global collections of most CISAC member societies.

REGIONAL COLLECTIONS IN 2002 EUROS – VARIATIONS IN RELATION TO THE PREVIOUS YEAR

	In Euros (2002 Value)			Variations		Structure	
	2001	2002	2003	2002 / 2001	2003 / 2002	Total 2003	Regions
AFRICA	20 567 276	21 484 837	24 352 744	4,5%	13,3%	0,4%	100,0%
Southern Africa	13 066 549	13 403 457	14 942 022	2,6%	11,5%	0,2%	61,4%
Central Africa	77 254	68 567	67 636	-11,2%	-1,4%	0,0%	0,3%
Eastern Africa	595 719	1 013 836	1 213 256	70,2%	19,7%	0,0%	5,0%
Western Africa	1 675 952	1 687 074	1 719 210	0,7%	1,9%	0,0%	7,1%
Northern Africa	5 151 803	5 311 903	6 410 620	3,1%	20,7%	0,1%	26,3%
NORTH AMERICA	1 621 527 621	1 541 963 692	1 652 121 736	-4,9%	7,1%	24,8%	100,0%
LATIN AMERICA	206 423 711	136 950 517	162 307 453	-33,7%	18,5%	2,4%	100,0%
Central America	47 405 172	45 030 537	46 379 078	-5,0%	3,0%	0,7%	28,6%
South America	156 642 570	88 975 925	112 450 476	-43,2%	26,4%	1,7%	69,3%
Caribbean	2 375 969	2 944 055	3 477 899	23,9%	18,1%	0,1%	2,1%
ASIA PACIFIC	974 047 253	991 587 987	1 039 962 160	1,8%	4,9%	15,6%	100,0%
Central Asia	664 291	759 073	2 022 655	14,3%	166,5%	0,0%	0,2%
South East Asia	7 926 022	8 905 311	10 551 017	12,4%	18,5%	0,2%	1,0%
Central Far East	906 706 795	920 125 796	959 601 843	1,5%	4,3%	14,4%	92,3%
Oceania	58 750 144	61 797 807	67 786 644	5,2%	9,7%	1,0%	6,5%
EUROPE	3 481 272 209	3 629 171 247	3 789 207 179	4,2%	4,4%	56,8%	100,0%
Eastern CentramEurope	107 516 756	124 598 838	152 163 777	15,9%	22,1%	2,3%	4,0%
Western Europe	2 382 748 468	2 506 788 663	2 566 201 933	5,2%	2,4%	38,5%	67,7%
Northern Europe	213 606 296	217 093 032	233 793 324	1,6%	7,7%	3,5%	6,2%
Southern Europe	777 400 689	780 690 715	837 048 146	0,4%	7,2%	12,6%	22,1%
TOTAL amount collected	6 303 838 071	6 321 158 280	6 667 951 271	0,3%	5,5%	100,0%	

AVERAGE COLLECTIONS PER SOCIETY

	In Euros (2002 Value)			Variations	
	2001	2002	2003	2002 / 2001	2003 / 2002
AFRICA	734 546	740 856	839 750	0,9%	13,3%
Southern Africa	3 266 637	3 350 864	3 735 505	2,6%	11,5%
Central Africa	25 751	22 856	22 545	-11,2%	-1,4%
Eastern Africa	99 286	144 834	173 322	45,9%	19,7%
Western Africa	152 359	153 370	156 292	0,7%	1,9%
Northern Africa	1 287 951	1 327 976	1 602 655	3,1%	20,7%
NORTH AMERICA	90 084 868	81 155 984	86 953 776	-9,9%	7,1%
LATIN AMERICA	5 733 992	3 340 257	3 958 718	-41,7%	18,5%
Central America	6 772 167	5 003 393	5 153 231	-26,1%	3,0%
South America	6 810 547	3 559 037	4 498 019	-47,7%	26,4%
Caribbean	395 995	420 579	496 843	6,2%	18,1%
ASIA PACIFIC	40 585 302	41 316 166	43 331 757	1,8%	4,9%
Central Asia	332 146	379 537	1 011 328	14,3%	166,5%
South East Asia	1 321 004	1 484 218	1 758 503	12,4%	18,5%
Central Far East	90 670 680	92 012 580	95 960 184	1,5%	4,3%
Oceania	9 791 691	10 299 635	11 297 774	5,2%	9,7%
EUROPE	37 839 915	38 201 803	39 886 391	1,0%	4,4%
Eastern Central Europe	5 119 846	5 191 618	6 340 157	1,4%	22,1%
Western Europe	66 187 457	69 633 018	71 283 387	5,2%	2,4%
Northern Europe	13 350 393	13 568 314	14 612 083	1,6%	7,7%
Southern Europe	40 915 826	41 088 985	44 055 166	0,4%	7,2%
TOTAL amount collected	31 837 566	30 390 184	32 057 458	-4,5%	5,5%

Methodology of the CISAC Study

For the relevance of the study and comparison's sake, all incomplete or unusable figures were excluded. The missing figures for a given year were extrapolated by calculating an average on the basis of the figures for other years or a trend on the basis of prior data. Similarly, the figures for one society that were available only for one of the three years were not taken into account, except in the case of collections by a newly created member society. Thus, for each of the three years, the number of data supplied or extrapolated is comparable from one year to the other.

With the same concern for relevant comparisons and for the purpose of smoothing the effect of fluctuating currency exchange, the figures supplied in local currency were converted into euros on the basis of the 2002 exchange rate thereby mitigating the effects in 2003 of the sharp drop in the US\$. Another exchange rate could possibly be used in the case of devaluation of a currency in particular greatly exceeding the stage of fluctuation that would have induced artificial variations in the data.

Finally, the grouping into continents reflects the usual CISAC divisions; thus, Israel and Turkey are positioned in Europe along with most of the former Soviet countries. The regions (subcontinents) are described with the standard UN names.



Reinforcing the Worldwide Network of Authors' Societies



Today more than ever, CISAC strives to help and consolidate the development of collective management societies in different regions. To this end, it implements strategies corresponding to each region's specific needs.

In the context of the Solidarity Fund for the year 2004, CISAC was able to assist 14 societies on all continents to invest in modern administrative and IT facilities. This help represents nearly €200,000 in the form of donations and interest-free loans.

The CISAC societies are grouped into five regional committees: Africa, Latin America, Asia Pacific, Canada/United States and Europe. These committees meet regularly to promote regional cooperation and initiate new projects.

Furthermore, CISAC has set up regional directions in Budapest, Singapore and Buenos Aires to provide member societies with support, training and assistance in the field. Africa and the Caribbean are managed from CISAC headquarters in Paris by a single regional director.

In order to amplify the results of its missions of assistance to the development of intellectual property and authors' societies in emerging countries, CISAC cooperates with international governmental and non-governmental organizations with similar objectives. Cooperation with WIPO falls under a framework agreement for cooperation signed in 2002. CISAC also has close working relations with among others UNESCO, Latinautor, GESAC, ICMP/CIEM, EVA and IFRRO.

Of the 207 collective management societies that are CISAC members in 2005, 31 societies are in Africa, 37 in Latin America, 18 in North America, 23 in Asia Pacific, 5 in the Caribbean and 93 in Europe.

Africa

Initiated in 2000 by the African Committee and its then President Robert Hooijer, the 'Partnership for Progress' (P4P) aims to develop collective management in Africa by reinforcing the region's intellectual and material autonomy.

The year 2004 marks the completion of the second phase in this long-term strategy and is characterised by an impressive number of activities conducted by CISAC, often in coordination with WIPO, its main partner in this strategy. During the third and final phase of this strategy, expected to start in 2005, the participating societies will continue to benefit from the P4P on condition they can demonstrate their acceptance of the principles of the programme, in particular financial responsibility, good governance, and management that is up to international standards. An action plan comprising seminars to raise awareness to authors' rights, training in collective management, visits to countries in need of assistance and legal support has already been established for 2005.

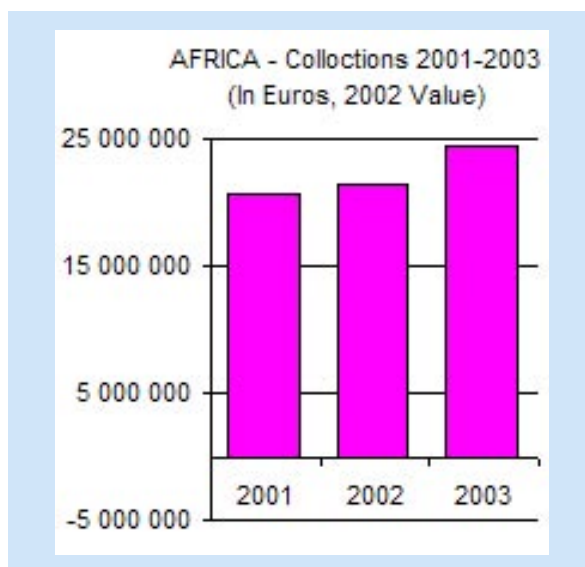
The P4P is beginning to bear fruit, both in terms of collection and on society governance and management, which allows for a more optimistic outlook on prospects for collective management on the African continent. Thus, MASA's recent progress in Mauritius is directly linked to stringent implementation of the principles of the Partnership for Progress.

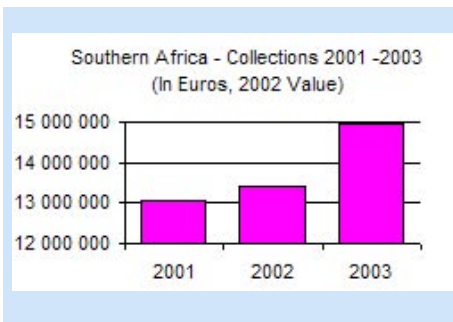
■ The P4P Leads to a Rise in National Collections

Since the launch of the P4P, many authors' societies in the region have witnessed a considerable progression in their collections. In the past three years, the weight of Africa has increased in the total of collections worldwide to represent 0.4% of collections worldwide in 2003. Although this remains low, it clearly deserves praise, particularly considering the global and African economic environment.

The African societies' collections increased from 20.5 million euros in 2001 to 21.4 in 2002 and 24.3 in 2003: +18.4% over the 2001-2003 period.

For all countries taken together, the increase was 13.3% in 2003 over 2002 when it was only 4.5% in 2002 over 2001. If the South African societies are excluded, the average increase per society exceeds 10% for the 2001-2003 period.

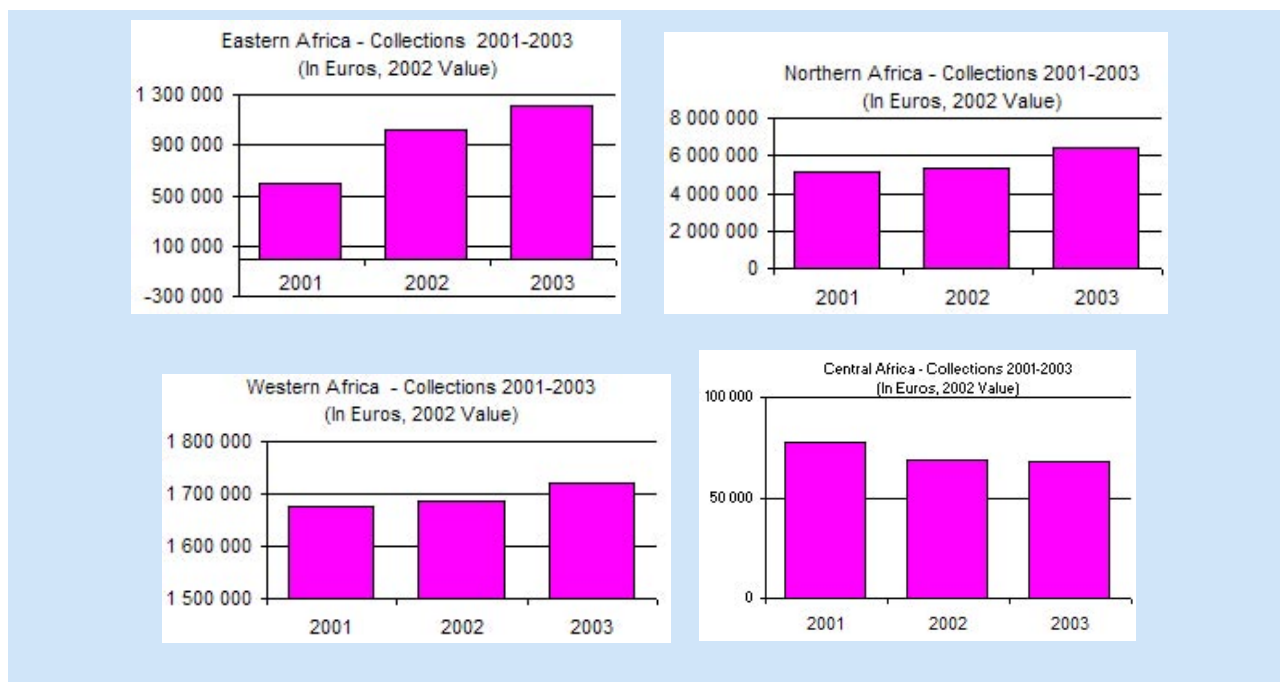




All African regions contribute to the dynamism on the continent, except Central Africa where some countries are still war-torn or have just come out of a conflict, so local societies have been unable to collect. Yet even in this region, the drop in collections has stabilised (+61.4% in 2003 over 2002 compared to -11.2% in 2002 over 2001)

In volume, Southern Africa is obviously the region with the most weight, considering that South Africa alone represents some 50% of the total for the continent. Collections in Southern Africa were up 11.5% in 2003 over 2002.

One of the most dynamic regions is East Africa, where the mean collections per society have literally doubled over this period (+19.7% in 2003 over 2002 and +70.2% in 2002 over 2001). North Africa is also enjoying similar growth (+20.7% in 2003 over 2002 and +3.1% in 2002 over 2001), while in West Africa the evolution is less favourable (+0.7% in 2003 over 2002 and +1.9% in 2002 over 2001)



■ Evaluation and Assistance Missions

In the context of the P4P, missions of evaluation and assistance organised by David Uwemedimo, Director of African Affairs for CISAC - sometimes jointly with WIPO and UNESCO -, always provide opportunities for talking with senior State officials and managers of national societies. The positive results of such missions include drawing the attention of governments to the need to respect national and international obligations in the area of authors' rights, encourage national societies and reinforce their credibility, and improve the image and visibility of authors' rights in the country. Such was the case for the missions organised in 2004 in Senegal with BSDA, in Guinea with BGDA, in Mozambique with SOMAS (a society that has just joined CISAC and whose activity is starting), in Namibia with NASCAM (joint mission with UNESCO). This work of raising governmental awareness must be an ongoing process, rather than a series of one-off events.

One of CISAC's objectives is also to encourage the founding of collective management societies in countries where there are none or that call on a sister society to manage the rights of their members and the international repertoire. Thus, in the Seychelles or Botswana, CISAC missions aimed to assess these countries' potential in the area of authors' rights and help their Governments set up a collective management organization.

The South African potential in the area of mechanical rights is of such importance for Africa that CISAC and BIEM conducted many missions in 2004 and 2005 to contribute to finding a solution to the current crisis plaguing SARRAL.

■ Training and Seminars

The year 2004 marked the introduction of a new theme in training sessions organised in Africa: the rules of corporate governance and the role of Board of Directors in improving the operation of collective management organisations and the economic situation of the creative community (see insert).

In parallel, it is essential to pursue a policy of regular training, oriented less on theory and more on practice, targeting not only the Managing Directors of societies but also key personnel, who can only benefit from dialogue with their counterparts in other societies in Africa or on other continents. Thus, training sessions on documentation, collection and distribution, particularly from the standpoint of the latest advances in the CIS, were organized on Mauritius, in South Africa and in France for French-speaking societies.

On a continent where English and French are the main languages for communication, it is important not to forget the needs of Portuguese-speaking territories in Africa. CISAC and WIPO organised at SPA's a joint training session for these Portuguese-speaking countries.

CISAC participates regularly or organises seminars to raise awareness with the political and judiciary authorities and broadcasters to intellectual property as a factor in economic development, obligations regarding authors' rights and the role of collective management societies. In 2004, CISAC went to Niger, Cameroon, the Democratic Republic of Congo and Mali.

Finally, CISAC received an official visit at headquarters by the Minister of Culture of Burkina Faso, the First Secretary of the Ministry of Local Government, Sports and Culture of the Seychelles, and the Project Coordinator specifically in charge of authors' rights from Djibouti.

Corporate Governance

A historic meeting of the Presidents of African CISAC member societies was organized in Kenya in July 2004 in cooperation with WIPO, then in Benin in November, on the theme of corporate governance. Good governance is taking on increasing importance in the business world of the 21st century, in particular in the area of collective management. The implementation of solid principles of good governance should be an absolute priority for collective management societies for the purpose of improving the creative community's economic situation. The role of CISAC and WIPO is to help promote these principles. The enthusiasm and commitment expressed by all the participants in these training sessions confirms that the P4P's general goal - namely the maximisation of distributions for the creative community by increasing income through good governance - is a sound basis upon which to develop collective administration on the African continent.

Asia - Pacific

Despite the increase in collections and the number of authors' societies (up from six in 1980 to 23 in 2005), the protection of creators in Asia-Pacific remains disparate, with some countries enjoying effective legislation while others continue with only weak, if any, protection of creators.

At the instigation of the Asia-Pacific Regional Director, Kwee-Tiang Ang, the CISAC Regional Delegation focused its efforts in 2004 on a few countries deemed priority to help existing collective management societies operate more efficiently: China, South Korea, Indonesia, the Philippines, Taiwan, Thailand and Vietnam. In 2005, China, South Korea, the Philippines, Thailand and Vietnam will continue being priority countries for CISAC, along with Brunei and Malaysia. The Regional Delegation will also pursue its evaluation of the potential for collective management of graphic and plastic arts, particularly in the context of the online exploitation of works in the Asia-Pacific region.

In parallel to these primary objectives, CISAC is pursuing in the region its lobbying missions, legal and technical assistance, its training programme and feasibility studies on the creation of authors' societies, particularly in cooperation with WIPO.

Supporting the tsunami victims

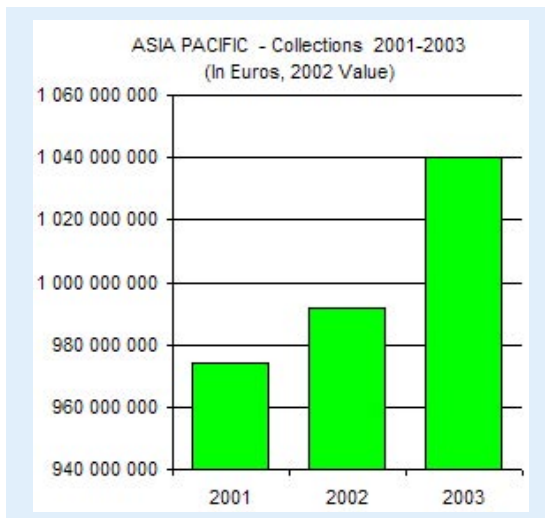
The Asia-Pacific Committee chose to hold its first meeting of the year 2005 in Phuket, Thailand, to contribute to the economic reconstruction of the region after the disaster caused by the tsunami of 26 December 2004. Furthermore, in the context of CISAC's contribution to the reconstruction of another region very severely hit by the tsunami, the CISAC Asia-Pacific Delegation will call for gifts from authors' societies wishing to participate in the construction of a venue for live entertainment in Banda Aceh, Indonesia.

Over One Billion Euros Collected in 2003

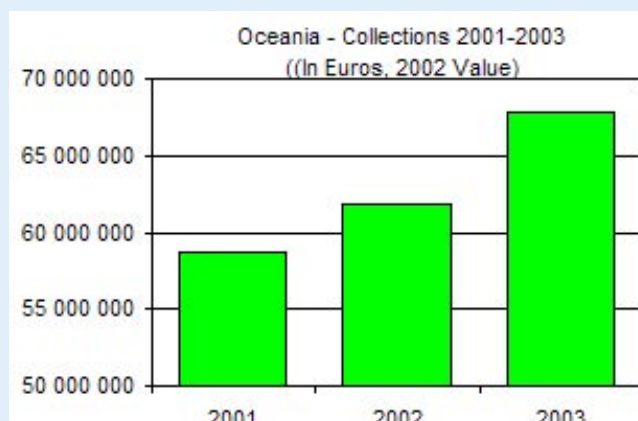
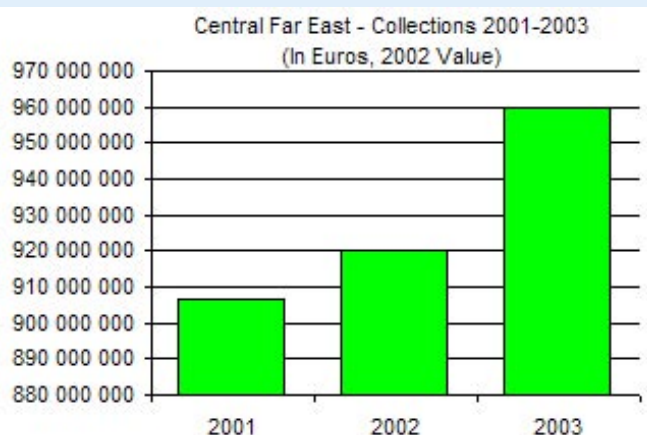
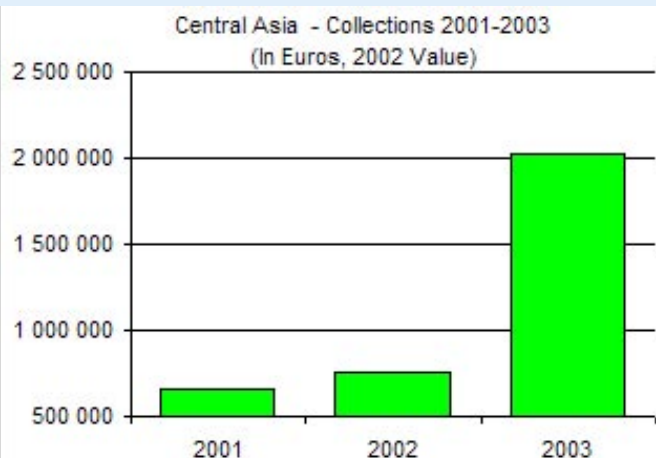
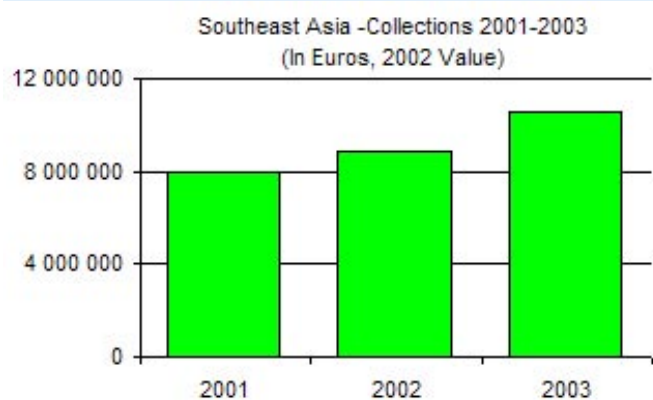
The amount collected in the Asia-Pacific Region in 2003 exceeded one billion euros (€1,039,962,160), after having reached 991.5 million euros in 2002 and 974 millions in 2001. For the 2001-2003 period, this represents a 6.8% increase (including a 4.9% increase in 2003 over 2002).

It should be noted, however, that the Japanese society JASRAC accounts for nearly 85% of the rights collected in the region. In 2003, JASRAC collections progressed by 3.3%.

Outside JASRAC, the increase in collections for Asia is even greater since it was 14.6% in volume in 2003 (10% in 2002). On average, the rights collected by the societies in the region, excluding JASRAC, which operates in a 'mature' environment, enjoyed a strong 26% increase from 2001 to 2003. This average increase per society confirms a trend that was highly significant particularly in 2003 compared to 2002. This makes 2003 a very good year for the Asia-Pacific Region.



Southeast Asia is pursuing its growth with an 18.5% increase in 2003 over 2002, after a 12.4% increase the previous year. Central Asia enjoyed a strong increase in 2003 (+166%) thanks to good performances in India, although the starting level was very low. The Far East is resuming a more rapid progression in 2003: +4.3% over 2002 after only +1.3% in 2002 over 2001. Finally, Oceania remains dynamic and solid with 9.7% growth in 2003 after 5.2% in 2002.



■ Actions Conducted in Priority Countries

Decisive progress was achieved in 2004 in **Thailand** and the **Philippines** when the collective management societies MCT and FILSCAP improved their management, either signing licensing agreements, or beginning to collect authors' rights from the main television broadcasters. The funding by CISAC of FILSCAP's disputes with Filipino broadcasters was useful, since, for the first time in the country's history, television channels began paying authors' rights. Moreover, MCT was able to distribute rights to sister societies in 2004 for 2002 while the right for 2003 should be distributed in 2005.

China has been drawing attention from CISAC, which has been participating in various discussions on intellectual property in this country and pursuing its work of information and lobbying with the authorities on the collection of authors' rights from broadcasters. CISAC's complaint was officially integrated in the list of

complaints concerning intellectual property that the United States government transmitted to the Chinese government by mail. In 2005, CISAC will maintain pressure through the governments of the European Union and Australia to obtain the establishment of broadcasting tariffs by the Chinese government. CISAC will also continue its efforts in view of proper interpretation of Article 15 of the Chinese Copyright Law on copyright in cinematographic works.

In **Vietnam**, CISAC strives to promote the existence of an authors' society in compliance with international standards and practices after Vietnam's acceptance of the Bern Convention in October 2004.

In **Taiwan**, CISAC successfully played its role as mentor in the training and operation of MÜST, which has now reimbursed all its debts and has become an ordinary CISAC member. CISAC's pressure on CHA made it possible to distribute to sister societies part of the royalties collected from television channels for the period from 1994 to 1998.

In **Indonesia**, the Regional Delegation is helping in the KCI's transformation from a foundation to a true authors' society managed by its members.

Finally, in **South Korea**, the Confederation brought all its support to KOMCA in the organisation of the CISAC Congress in 2004 and help in improving its distribution and finding acceptable solutions to resolve outstanding complaints of certain rights holders concerning its operation.

■ Evaluation Missions and Legal Assistance

The mission conducted by CISAC and WIPO in Sri Lanka in July 2004 concluded that it was necessary to found a collective management society in this country in the context of new legislation. The new society's Board of Directors and staff should follow a complete training programme in addition to awareness seminars on authors' rights organized for rights holders, users, investigating judges, police officers and other civil servants concerned.

In Cambodia, however, the evaluation mission conducted in March 2004 concluded that it was too early to create a collective management society in this country and priority should go to educating the public.

CISAC is also helping the MCT society in its discussions with the Thai government on a draft law governing collective management organizations. In Nepal, after adoption of the regulation of collective management organizations, CISAC brought its help in drafting the Statutes for a new authors' society while CPSN, an associate member of CISAC, will serve as host structure for new societies.

When Will There be Authors' Societies in These Countries ?

Throughout the entire Asia Pacific Region, CISAC, jointly with WIPO, is conducting feasibility studies on the creation of collective management societies in certain countries. Bhutan, Cambodia, Macao and the South Pacific Forum countries are some of the countries in which studies were conducted, but it was deemed too early or economically unviable to create authors' societies there. In Mongolia, CISAC mission was to improve the operations of the existing society.

■ Training and Seminars

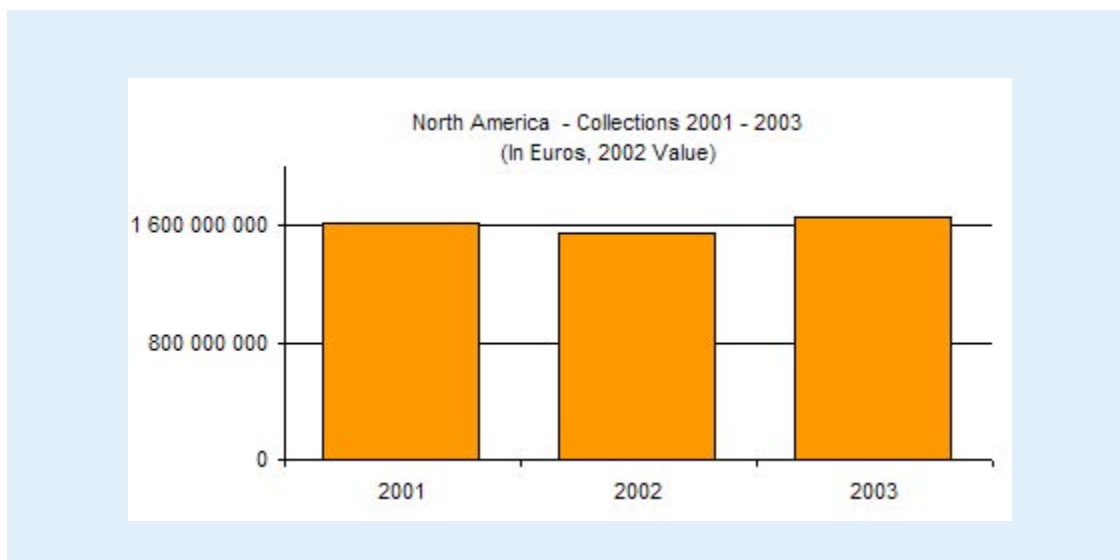
Since most societies in the Region have already set up appropriate documentation and distribution systems, CISAC's objective is now focused on training their staff to optimize operations. With this objective in mind, the Asia-Pacific Delegation organized several training sessions in 2004 for the staff of FILSCAP in the Philippines, MACP in Malaysia and COMPASS in Singapore, as well as courses in the collective management of authors' rights for middle managers in Asia-Pacific societies, an initiative organized in cooperation with WIPO in November 2004.

In parallel, information seminars on authors' rights legislation, collective management and collection from broadcasters were also organized in Malaysia, Taiwan and China. In 2005, judges and investigating judges in the Asia-Pacific Region should be participating in a seminar co-organized with WIPO.

North America

The total amount of royalties collected in North America enjoys a strong increase: +7.1% in 2003 after a very substantial drop of -4.9% in 2002 linked to the general economic consequences of the tragic attacks of 11 September 2001. Overall, in the 2001-2003 period, there was a trend towards a 1.9% increase. In value, this represents collections of more than one and a half billion euros in 2003 (1.652 billion in 2003 over 1.621 billion in 2001)

The economic recovery in the USA has obviously had positive effects on the amounts collected in this territory. Furthermore, the influence of the exchange rate, through considerably mitigated by a short reference pivot (2002), slightly amplifies the result in euros.



The Canada/USA Committee meets regularly, either in Canada or in the United States, to discuss general questions and principles concerning the region. At its November 15, 2004 meeting held at the SOCAN offices in Toronto, André LeBel, the company's CEO was elected Chair of the Committee. Discussions of the Committee centre around following issues:

■ Canada

- Copyright Reform
- Private copying levies
- Canada's Supreme Court Decision regarding SOCAN's internet tariff
- Copyright Board Hearing Agenda
- The Canadian Recording Industry Association (CRIA's) appeal of a lower level Court judgment on p2p file sharing
- Broadcast Mechanical Tariff Collections
- Negotiation for new Mechanical Licensing Agreement
- Online Licensing
- Satellite Radio Licensing
- New licensing conditions for CMRRA – SOCRAC Inc.

■ USA

- ASCAP: Local TV and Radio License
- ASCAP Infringement Actions
- ASCAP's Mediaguide
- BMI: Background and Residential Music Services
- BMI: Pay per view hotel video services
- BMI: Music Choice Rate Proceeding
- BMI: Weigel Television Rate Proceeding
- SESAC: Local TV Licenses
- US Legislative Agenda
 - o CARP Reform
 - o Satellite Home Viewer Act Extension
 - o Pre-Registration of works with the Copyright office
 - o Congressional Oversight of Performing Rights Organisations' hearings
 - o INDUCE Act
 - o Fairness in Music Licensing Act
 - o Copyright Arbitration Royalty Panel Reform Legislation
 - o Copyright Office inquiry into Orphan Works
 - o Satellite carrier Compulsory License Extension
 - o Grokster Case
- Effects of the 2004 Presidential election on copyright issues

Latin America & the Caribbean

Despite the region's economic difficulties, Latin American authors' societies not only saw their collections and distributions increase in 2004 but also the number of existing organisations. Several societies were founded and are starting their activities, bringing the number of CISAC member societies in Latin America to 37.

Led by Martín Marizcurrena Oronoz, the CISAC Latin America Regional Delegation concentrated in 2004 on the following priorities (to be maintained in 2005):

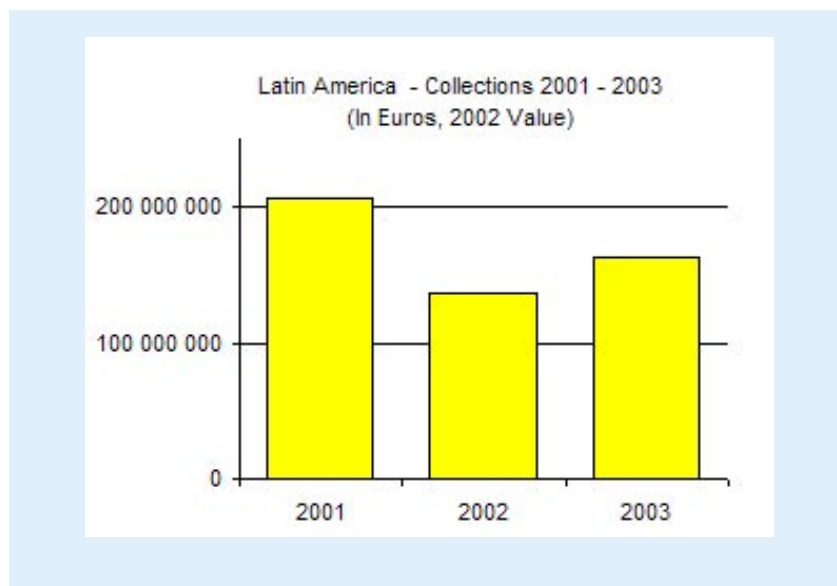
- encouraging the creation of visual arts societies;
- reinforcing Central American societies;
- auditing and improving societies' management and operations;
- providing legal assistance and monitoring of legislative changes on authors' rights.

David Uwemedimo, CISAC Regional Director for Africa and the Caribbean, is currently working on meeting the expectations of English-speaking Caribbean members of CISAC for the preparation of a strategic plan for the Region.

■ A Return to Increased National Collections

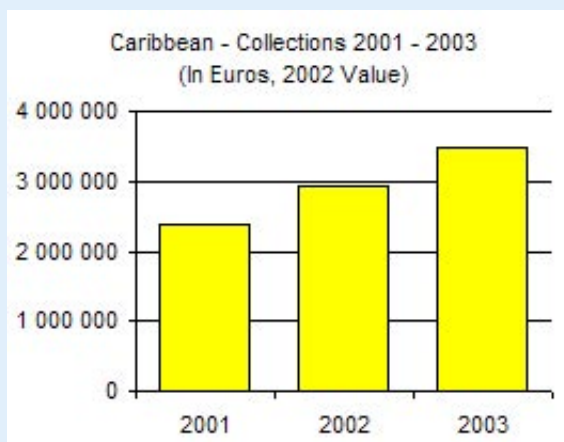
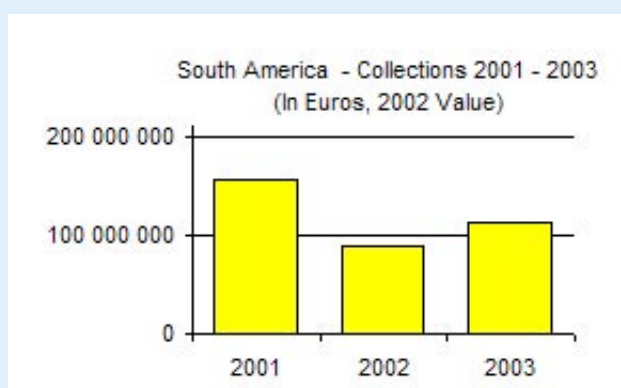
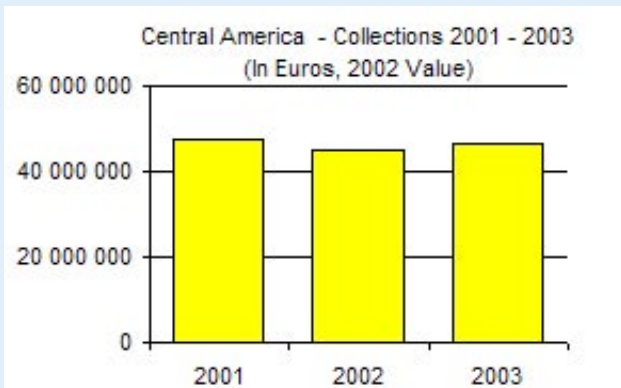
After the significant drop in 2002 (-33.7%) due to the depressed economic context, the collections of Latin American societies increased again in 2003 (+18.5%). In the 2001-2003 period, however, the drop remained at -21.4%. In value, the collections for Latin America societies dropped from 206.4 million euros in 2001 to 162.3 millions in 2003.

The increase in 2003 is partly due to the good performance of Brazilian societies with an overall 14% increase. Yet, it also reflects the economic recovery on the entire continent, with a 37% increase outside of Brazil.



The average collections for South American societies increased by 26.4% in 2003, although the level of this average remains only 2/3 of what it was in 2001. Central America is struggling somewhat in its development and progressed only by 3% in 2003, after a 5% drop in 2002.

The rights collected in the Caribbean, although they concern very small volumes, have been increasing regularly for several years. The year 2003 marked another 18% increase. In all, national collections in the Caribbean rose +46% in the 2001–2003 period. Current initiatives should help continue improving revenues for rights holders in this region.



■ Encouraging the Creation of Visual Arts Societies

One of the Regional Delegation's priorities for 2004 was to support and encourage the creation of visual arts societies.

Thus, the organization in Colombia and Ecuador of several seminars for visual artists led to the creation of the SCAV society in Colombia, whose Statutes should be validated in 2005; the authorization for ARTEGESTION to operate as a collective management society in Ecuador; and the membership of many artists in these two new societies. In Brazil, AUTVIS, created in 2002, began issuing licences and has taken many innovative initiatives using cutting-edge technologies ('WADA').

Projects for the visual arts in Latin America do not stop there: the work plan adopted by CIAGP in February 2005 confirms CISAC's will to pursue assistance for the development of this repertoire in the region. (See section "Advancing the Collective Management of Authors' Rights and Repertoires")

■ Supporting the Development of Societies in Central America

In recent years, CISAC has also concentrated efforts on Central America, where seven societies now group creators from El Salvador, Nicaragua, Honduras, Guatemala, the Dominican Republic, Costa Rica and Panama. CISAC provides these flourishing societies all the legal, technical and financial assistance possible (in cooperation with WIPO). In 2004, they were able to benefit from practical training on documentation, distribution, SGS and CIS. CISAC also cooperated with WIPO and SGAE to provide these societies with CIS-compatible SGS management systems.

The missions conducted by CISAC in some countries, one jointly with WIPO, helped establish contacts on a governmental level and achieve satisfactory results during the year (see insert). The priority for 2005 will be to accompany the Central American societies in starting their activities, including negotiating tariffs with the main users.

Concrete Results in Central America for 2004

- In Nicaragua, NICAUTOR was accredited as a collective management organization.
- In Honduras, the government agreed to support AACIMH, thereby enabling it to operate.
- In Panama, the government should support SPAC in its negotiations with hotels and broadcasting organizations.
- In El Salvador, SACIM can begin operating, after validation of its Statues.
- In Guatemala, the help provided to AGAYC to settle the situation has begun bearing fruit and the society was able to undertake its first two distributions from the foreign repertoire.
- In the Dominican Republic, the conflict between SGACEDOM and phonograph producers on general tariffs is not yet resolved.

■ Strategic Plan for the Caribbean

The objectives of the strategy CISAC is trying to set up are to help in the development of collective management in the region and guarantee that Caribbean societies can benefit from economies of scale by pooling their resources. Thus, Caribbean societies, which have long desired to share their infrastructures, created the Caribbean Copyright Link (CCL), a regional grouping of four collective management societies Caribbean: COTT (Trinidad & Tobago), HMS (Saint Lucia), JACAP (Jamaica) and COSCAP (Barbados).

In this context, CISAC, several important members of the Confederation and WIPO organized a training session on the principles of setting tariffs and granting licences in the area of broadcasting and another in the area of collecting general rights.

■ Evaluation Missions

Several audits were organized to assess the operation of certain societies or the application of work plans specified by the Regional Delegation.

Missions in Ecuador and Paraguay led to concluding that there was a need to restructure the SAYCE and APA societies both administratively and for rights management. There have already been some changes in the context of the development plan set up with APA. In Ecuador, the Ibero-American Committee is seeking to avoid governmental intervention to settle SAYCE's difficulties.

Another priority mission for 2005 will be restructuring the management of the SOBODAYCOM society in Bolivia.

■ Legal Assistance

Given the lack of legal experts in authors' rights and the multiplication of draft laws detrimental to authors, legal assistance should become a priority area of intervention in coming years for the CISAC Latin America Delegation, even before training.

In Colombia, the Delegation proposed amendments to the draft modification of the Copyright Law. In Argentina, CISAC publicly expressed in both Chambers its disagreement with the draft proposals for exceptions to authors' rights and the creation of an entity for regulating the activity of authors and composers. The Mexican societies are attempting with help from CISAC to have their countries adopt a law on private copying. The Ibero-American Committee informed the Brazilian authorities of its concern over and refusal of several initiatives contrary to current legislation and the international agreements signed by the country.

ALCA, the Free Trade Area of the Americas treaty involves all the countries in the region and all the societies are concerned about the chapter on intellectual property, collective management and the transfer of rights. With the help of the Legal Committee, the Delegation and the Ibero-American Committee analysed this treaty, suggesting themes for discussion and improvement. The TLC, Free Trade Agreement, was also analysed and a proposal was submitted at the request of ACAM (Costa Rica).

Draft Law in Venezuela

In 2005, Venezuela will be the country to keep an eye on, since a new draft law on authors' rights and neighbouring rights was adopted on first reading by the National Assembly. In April 2005, on behalf of all the Latin American societies and the Board of Directors, the Director General of CISAC asked the President of the Republic and the Parliament to postpone the adoption of this draft law and hear CISAC's remarks and observations. The law as adopted on first reading:

- Contains a series of provisions that are not in compliance with the international treaties ratified by Venezuela;
- Abandons the principle of 'national treatment' and conditions the enjoyment and exercise of the rights of authors and owners of neighbouring rights to the fulfilment of protocol;
- Suppresses the rights already recognized by current Venezuelan legislation and omits other rights that should be recognized to ensure effective protection of creators;
- Infringes the exclusive right of authors to decide on the future uses of their works and the conditions of their exploitation;
- Is extremely prejudicial to collective management for Venezuelan and foreign authors and composers; and
- Infringes the rights of creators, while discouraging creativity and the investments of cultural industries that make it possible to broadcast their works.

■ Training and Seminars

The Delegation's annual training focused in 2004 on documentation, distribution, SGS and CIS. For the representatives of the 15 participating societies (from Argentina, Brazil, Bolivia, Chile, Colombia, Ecuador, Mexico, Peru, Paraguay, Uruguay, and Venezuela) this was their first direct contact with the CIS. This training also enabled them to learn about the CISAC documentary database, documentation on Rules and Standards, TIS, CAE/IPI, ISWC and the CIS-Net network.

This first very practical training experience - which was repeated for Central America - was a success, but it also demonstrates that future training sessions should be organized separately according to each society's specific needs.

Europe

Since the creation of the European Regional Delegation, the Director of European Affairs and the President of the CISAC European Committee, Péter Gyertyánfy, have focused most of their activities on the implementation of CISAC Strategy for Central and Eastern Europe and the Commonwealth of Independent States. This strategy had been adopted by the CISAC Board of Directors in December 2002 in Johannesburg.

The year 2004 was devoted to reinforcing contacts with societies to better identify their needs. Priority went to collective training programmes and lobbying sessions on themes specific to the Region's societies to enable them to improve their management rapidly. Support from BIEM, GESAC, WIPO and other European organizations such as EVA was systematically sought to bring these various activities to fruition.

The positive results obtained in the Region are due to the fact that CISAC acts as pragmatically and as close as possible to the societies' needs. It is indeed difficult, considering the diversity of political and socio-economic conditions in which these societies work, to find an approach that is suitable for all of them, despite the many points they share.

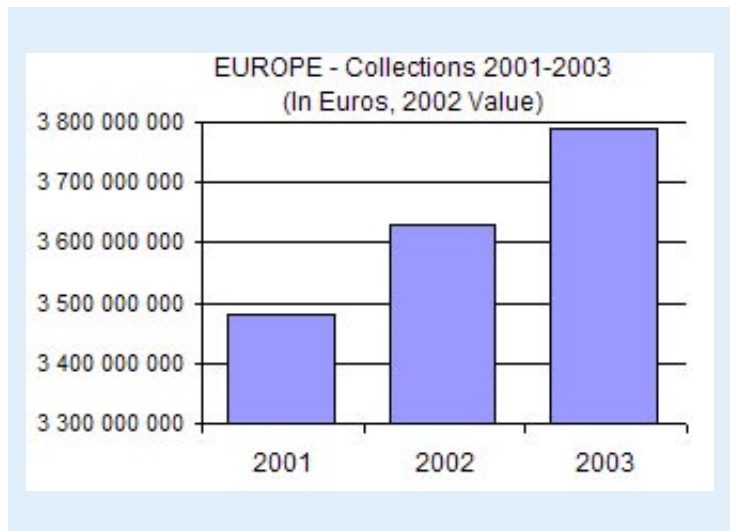
■ 57% of Collections Worldwide

The collections of European members societies of CISAC reached a total of 3.789 billion euros in 2003, representing a 4.4% increase over 2002 (3.629 billion), following a 4.2% increase that same year over 2001 (3.481 billions). Europe remains the largest region in terms of authors' rights since it represents 56.8% of collections worldwide in 2003.

CISAC European Delegation

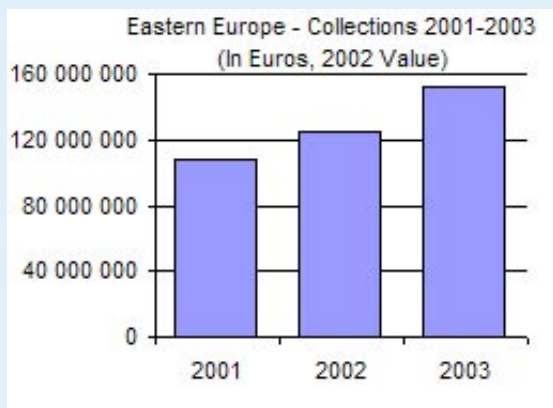
The Regional Delegation for Europe based in Budapest is the newest CISAC delegation, since it was created in September 2003. Moreover, its Director, Mitko Chatalbachev, acts jointly for CISAC and BIEM. The work of the CISAC Delegation focuses on the countries of Central and Eastern Europe and the Commonwealth of Independent States, with some 70 societies.

The growth of Europe (+8.8% for the 2001-2003 period) has been maintained in particular thanks to the good *résistance* of the Western European societies and the persistent development of the Central and Eastern European countries. The amounts collected in the 25 countries of the European Union represent more than 93% of the total for the continent. The weight of the EU is nonetheless substantially lower for the period, which shows the greater dynamism of the East.

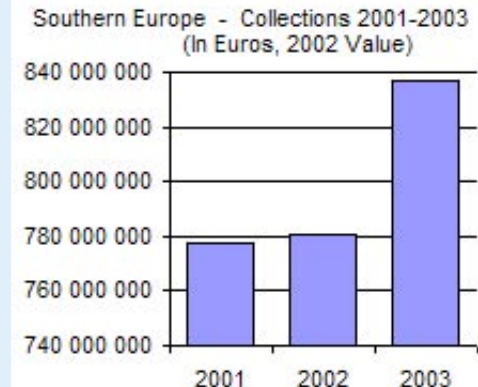
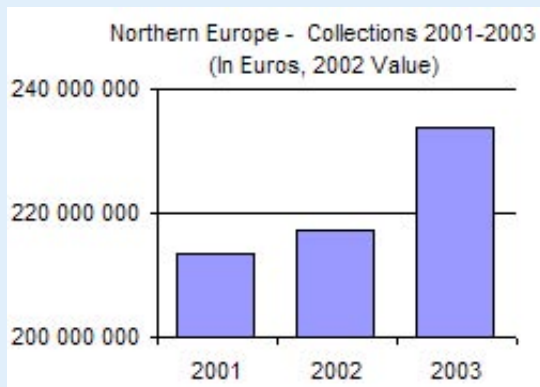


There has been a strong progression of collections in the Central and Eastern European countries and the Commonwealth of Independent States for several years: 152 million euros in 2003 (+22.1% over 2002), after having reached 124 million euros in 2002 (+15.9% over 2001) and 107 million euros in 2001.

The average amount collected per society in this region was up nearly 24% between 2001 and 2003. In volume, this increase is nearly 42%. The total amount is 152 million euros for 2003. This has been the most dynamic region in the world for several years.



Western Europe has also demonstrated its good health in this period with a 2.4% increase in 2003, after +5.2% in 2002. With 2.566 billion euros, the rights collected in Western Europe represent nearly 38.5% of the rights collected worldwide in 2003. The rights collected in Northern Europe amount to 233.8 million euros in 2003, marking a 7.7% increase after having virtually stagnated in 2002 (+1.6%). Southern Europe, after certain difficulties in 2002 (+0.4%), returned to very steady growth in 2003 with a rate of 7.2% (837



■ Evaluation, Lobbying and Legal Assistance Missions

In the context of the CISAC Strategy for the region, the main objective of missions in 2004 was to assess the societies' situation, review the legislative and economic context in which they operate, intervene in favour of the enforcement and respect of copyright laws and mediate to this end with the various competent governmental administrations. Furthermore, the Director of European Affairs being a legal specialist of authors' rights, the societies were able to consult him regularly about their legal problems.

Thus, the Director of European Affairs visited:

- **Bosnia-Herzegovina:** This first official visit by CISAC/BIEM representative to this country enabled Sine Qua Non to reinforce its position and sign new reciprocal representation contracts.
- **Albania:** With users refusing to respect copyright legislation with a certain impunity, ALBAUTOR situation remains difficult despite special help from CISAC and BIEM to overcome financial difficulties.
- **Serbia and Montenegro:** SOKOJ is authorized to manage authors' rights in the entire territory, but in fact, no collective management exists in Montenegro.
- **Romania:** CISAC's intervention with the Romanian Parliament led to changing certain draft amendments unfavourable to collective management. UCMR-ADA also benefited from CISAC assistance in its negotiations with mobile operators and Internet service providers, thereby avoiding the imposition of unfairly low rates.
- **Bulgaria:** The situation for authors' rights in Bulgaria is sufficiently difficult to justify the permanent help CISAC provides to MUSICAUTOR, FILMAUTOR and TEATERAUTOR in their difficult negotiations with local cable operators and for private copying. CISAC intervention partly contributed to achieving a positive outcome to MUSICAUTOR's problems with VAT.
- **Russia** (see insert)

Collective Management of Authors' Rights in Russia

In Russia, the large number of collective management societies (approximately 30) makes collective management very complex, to the users' benefit. Moreover, there is a certain administrative confusion concerning the supervision of intellectual property. The European Committee, in a resolution of 2004, called on the government of the Russian Federation to take the necessary measures to stabilize and regulate the situation regarding the collective management of authors' rights. CISAC's various interventions are beginning to bear fruit, since RAO was able once again to apply its contract with the country's main user of works, the All-Russian State Television and Radio Company (VGTRK). The CISAC General Assembly also decided in October 2004 to expel the society ROMS on the basis of the fact that it granted licences to the users of works protected by authors' rights without authorization from the relevant rights holders. At present, RAO is the only CISAC member in Russia. In 2005, CISAC and BIEM will strive to obtain revision of the legislation to achieve more efficient organization of collective management. CISAC is also considering various possible legal actions to stop the violations of author's rights by Russian Internet sites. In parallel, CISAC will coordinate its members' actions against ROMS.

- **Armenia:** ARMAUTHOR obtained better contractual conditions in its negotiations with national television.
- **Macedonia (FYORM):** CISAC intervened for lobbying against some anti-collective management amendments of the Copyright Act.
- **Greece:** The European Committee adopted in April 2005 a resolution inviting the competent Greek authorities to act as mediators to convince the holders of neighbouring rights to apply fair rates by also taking into account their representativity and not jeopardize the protection of authors' rights by disrupting the users' market.

An Action Timetable for Turkey

In Turkey, the discussions between MESAM and MSG are slowly progressing and the situation remains uncertain. Following the decision of the CISAC General Assembly in October 2004, an official calendar of actions to be taken was sent to MSG and MESAM comprising in particular the implementation of a common licensing system, a common database of works and verification of members.

With the cooperation of experts from PRS and SACEM, CISAC and BIEM organized in October 2004 a day-long meeting to study collection to help MSG and MESAM find a solution for issuing common licences. Various aspects of the RTV licences were also considered and the Turkish societies are beginning to examine draft tariffs. CISAC can only be satisfied with the fact that, in the context of the adaptation to Turkish legislation with *acquis communautaire*, the harmonization of legislation on intellectual and industrial property is now listed among the priorities for the Turkish government.

■ Training and Seminars

Following the success of the training session organized in 2003 on private copying, the Regional Delegation decided to organize every year a seminar devoted to a different theme, to be treated as broadly and practical as possible. In 2004, the subject of online use of musical works gathered virtually all the societies in the region. In 2005, the annual seminar will deal with the HORECA sector.

The training sessions organized in Europe in 2004 concerned various aspects of collective management, legal, technical and administrative:

- CIS information meetings to familiarize the region's societies with the latest versions of the CIS and its use.
- Training devoted to the problems of sub-publishing (legal context and electronic registration of the repertoire) organized by ARTISJUS for HDS-ZAMP (Croatia). This training can be organized on a regular basis at the request of the region's societies.
- The BIEM/CISAC and GESAC legal seminar on legal practices in the European Union in the area of collective management for the main societies in the 10 candidate countries.
- The common WIPO/CISAC seminar on authors' rights, broadcasting and negotiations with users for societies in Russia, Georgia, Belarus, Armenia, Moldavia, Kazakhstan and Kirghizstan. Such training should be repeated in 2005 for the countries from South-East Europe.

In 2005, CISAC will continue its effort in finding appropriate way to assist small societies in their lack of appropriate documentation and distribution software and training to use them.

CISAC strategy for the region targets not only music, quite the contrary, its aim is to promote the development of all creative repertoires. Thus, a training session for CISAC member societies managing audiovisual rights was organized with cooperation of SACD, while another for visual arts societies is scheduled for September 2005.



Advancing the Collective Management of Authors' Rights and Repertoires



CISAC's activities are aimed at both improving the position of authors and composers, as well as enhancing the quality of the collective administration of their rights around the world. An ambitious mission covering the whole spectrum of authors' societies activities. To this end, CISAC has developed "think tanks" – the Technical Committees and the International Councils of Authors – responsible for studying the moral, technical, professional and legal issues arising in connection with the exercise of authors' rights and their collective administration. Their aim is to reach common working procedures and formats, adopt and implement technical quality and efficiency standards in order to improve the interoperability of societies, exchange information and experience, and provide support and assistance to other societies and authors. These forums are the breeding ground for new approaches—both technical and philosophical—in the field of authors' rights, and several key CISAC decisions and tools are born and developed during these annual meetings.

In 2004 and early 2005, CISAC and its committees focused its attention notably on the following issues:

- Cultural diversity and the fight against piracy;
- Licensing the new forms of transmission of works;
- Documentation and distribution techniques and principles;
- Contractual relations between authors and their publishers or producers;
- Development of collective management of visual arts;
- Reinforcement of CISAC's legal activities;
- Communication with its members

In Defence of Cultural Diversity

For several years, the defence of cultural diversity has been an issue of major concern and much discussion. In essence, creative works in national languages and from different regional artistic expressions should be promoted and protected to foster world culture, thus allowing consumers to choose freely between native or foreign artistic contents. Authors' societies play an important role in preserving cultural diversity by enabling authors to create and support a wide range of artistic activities. Cultural diversity can only be sustained by the acknowledgment of the dignity of authors and their moral and economic rights so that their works may contribute to the artistic heritage.

■ Supporting the UNESCO “Convention on the Protection of the Diversity of Cultural Contents and Artistic Expressions”

CISAC fully supports the highly-anticipated UNESCO “Convention on the Protection of the Diversity of Cultural Contents and Artistic Expressions”. In a resolution adopted at its General Assembly in October 2004, CISAC outlined the concerns and expectations expressed by all creators, most notably through CIAM's and CIADLV's proposals.

CISAC:

- “Expresses its satisfaction on the efforts that certain Governments and NGOs have made to ensure a correct and exhaustive expression of the general principles of the protection of culture and the cultural industry;

- Welcomes the growing awareness in various countries and multilateral negotiations that the protection of cultural diversity plays a crucial role in counterbalancing economic globalisation and is an element of social stability, pluralism and understanding among peoples;

- Underlines the need to confer on the “UNESCO convention on protection of the diversity of cultural contents and artistic expressions” an exclusive and specific legitimacy in the field of the defence and promotion of cultural diversity, prevailing over international treaties in the commercial field;

- Emphasizes that it is appropriate to grant UNESCO the power, authority and means to solve international disputes in the field of cultural diversity;

- Invites all CISAC members to support the Convention's drafting and negotiation process and to rouse public opinion and Governments to the importance of this standard-setting instrument to protect cultural and linguistic identities, especially in smaller or less developed countries;

- Expresses the hope that the negotiations within UNESCO will result in the approval of an internationally binding legal instrument recognizing that culture and cultural diversity have the same dignity as other demands such as those raised by the development of free trade and economic liberalization.”

However the project of a European Union Directive on Services in the Internal Market can also be considered as a menace for the protection of the cultural diversity. The CIADLV therefore adopted a resolution in April 2005 suggesting that all cultural activities including the management of authors' rights be excluded from the scope of this Directive.

■ Fighting Internet Piracy to Protect Creativity

Conscious that creative works in every country must be protected from the large-scale online infringement of literary and artistic property rights, CISAC is engaged in various initiatives to impede the spread of internet piracy.

In January 2004, CISAC signed an **anti-piracy declaration** at MIDEM, along with other international organizations representing artists, producers, distributors and the telecommunications sector. The Declaration (see insert) clearly states that cultural diversity and the interest of the creators are jeopardised by the explosion of infringing practices of literary and artistic property rights at international level. To fight internet piracy, the entire music industry must therefore unite, promote legitimate online services and engage in public awareness and education campaigns.

In October 2004, the General Assembly adopted a **resolution** calling upon all governments to fight strongly against Internet piracy, to work in favour of software interoperability, and to support the creation of online music and audiovisual distribution services that are both legal and that promote cultural diversity.

CISAC signalled its intention to combat the plague of internet piracy by intervening with other rights holders in the case of **MGM Studios Inc. et al. v Grokster Ltd.** In effect, the court in this case held the defendant not liable for copyright infringement, notwithstanding the wide-scale copyright abuse made possible by the file-sharing peer-to-peer networks established with the defendant's encouragement. In January 2005, lawyers acting for several international rights organisations including CISAC, BIEM and

IFPI have submitted written briefs to the US courts in support of an appeal against the decision. This appeal, which argued that the court's decision was inconsistent with international copyright treaties, has now reached the US Supreme Court. The Supreme Court's decision is expected in July 2005.

On the subject of unlawful on-line use, there is one additional disquieting matter of concern. On the strength of purported licences issued by an organisation based in **Russia**, Russian companies that own websites have been offering to members of the public - at derisory prices - downloads of an extensive range of musical works and associated lyrics. It might well be argued that such activities are potentially even more dangerous to the interests of the creative community than, for example, peer-to-peer systems. After all, the very fact that bona fide third party purchasers are required to make (albeit peppercorn) payments might deceive members of the public into believing that such activities are legitimate. This fiction is often assisted by the fact that website owners often openly purport to have cleared all relevant rights. Following a request from the Board, CISAC Secretariat obtained legal advice on the possibility of **commencing legal action in relation to such unlawful activity**. The Board has requested that CISAC coordinate action on behalf of certain of CISAC's constituent

Anti Piracy Declaration (2004)

"We urge creators and other players in the music sector, in France and all the world over, to join us in a shared commitment that is crucial to the future of the music industry worldwide, a commitment to promote new forms of access to music within a legal and technical framework that will fully protect the rights of creators and their partners.

Today, the quality and the diversity of artistic production are being jeopardised by the explosion of practices that infringe literary and artistic property rights at the international level.

In a context of technological advances that have opened up new ways to access cultural goods and services which are now in widespread use, we undertake to foster the rapid development of a broad choice of attractive and universally accessible legitimate online music services and to intensify the fight against infringement at all levels and by appropriate means.

We appeal to users to adopt a responsible attitude and will engage in public awareness, information, education and other efforts to this end. Artistic creation has a cost; it has a price, and authors, performers, publishers and producers must be properly remunerated for their work.

So that creativity in countries everywhere can flourish in the digital world, we must meet this challenge together and we are committed to doing so collectively."

members in respect to the continuing abuse of copyright on websites linked with Russia. CISAC is executing those instructions with vigour.

At the request of the BIEM Management Committee and CISAC's Board of Directors, a **Joint On-line Anti-Piracy Working Group** was established in 2005. The group has been tasked to review the current nature of internet piracy as it currently affects BIEM and CISAC member societies (and their members also) and to explore any possible action that could be undertaken to address the general problem of internet piracy, and in particular the online piracy of musical works, in its various forms. A number of recommendations of a short term nature and long term solutions of both a legal and technical nature shall be reviewed by the CISAC Board at its June 2005 meeting.

Technology itself can also play a significant part in allowing rights owners to protect their content and to develop more compelling legitimate services. The **Common Information System** (CIS) represents CISAC's primary initiative to provide its members with the necessary means to identify and protect their repertoire in the online world. (For more information, please refer to section on "Digital Management of Intellectual Property Rights and Information Technologies").

Licensing the New Forms of Transmission of Works

■ Internet

The CT-RTV has been studying market trends and development of various online offerings and business models, for both webcasting and portals (Yahoo, OAL...) so as to better assess online licensing agreements. The increase of broadband penetration contributes to the success of internet. The online legitimate market is emerging and the development of legitimate services such as iTunes and subscription services such as Napster give rise to a sense of optimism. The online streaming market could be the killer application, with stream on demand subscription services such as Rhapsody. In addition, the world of broadcasting is becoming more and more complicated with the convergence of technologies and the development of Internet websites of traditional broadcasters.

The CISAC European Committee highlighted the vacuum created in the European licensing practice by the non-renewal of the Santiago and Barcelona Agreements on on-line use (as of January 2005) – decision due to competition law considerations. Many authors' societies are facing similar difficulties in developing appropriate models for licensing of online businesses.

Radio and Television Broadcasting Committee

Chaired by Laurence Bony (SACEM) with Andreas Wegelin (SUISA) as Vice-Chairman, the Radio and Television Broadcasting Technical Committee (CT-RTV) met in New York in November 2004 and will meet in St-Petersburg in November 2005. Rather than proposing standards and rules, the Committee studies the principles of licensing agreements and the collection of rights from broadcasters in order for CISAC members to share expertise and help them adopt the best approach.

■ Mobile Phone Services

In the mobile phone sector, we easily measure the evolution, notably based on the Japanese pioneering experience. From a financial point of view, ringtones have generated constantly growing royalty collections. From a technical point of view, ringtones themselves have soared from monophonic to CD-quality sound, and are today often accompanied by media rich visual content. The global mobile sector is developing a number of new services (download or stream types) using the musical and audiovisual repertoires which appear very promising for the future.

The acquisition of rights and the identification of rights holders are often difficult for content providers, particularly for the dramatic and audiovisual repertoires without well-established collective management. However, it is also essential to define beforehand the legal status of the broadcast of the works by mobile phone. That is why it is important for authors' societies dealing with the dramatic and audiovisual repertoires to benefit from the experience gained by musical societies in the sector and not to wait to begin seeking the most appropriate ways of dealing with the mobile phone market.

The emergence of intermediaries between the content owners and the delivery to the consumer complicates the goal of licensing based on the final price paid at the point of consumption. Telecommunication operators are generating huge revenues from the use of the copyright material however the returns to rights holders have remained modest in comparison. The pressure of the record companies to control all aspects of the licensing procedure and the problems of clearing synchronisation rights are also to be highlighted.

■ Digital Terrestrial Television

There is a general consensus that the planned switch-over for Digital Terrestrial Television in the US and the UK is more likely take place in 2009, rather than the original timetable for 2006. Despite promising indications in some territories, Digital Terrestrial Television has not yet captured the public's imagination. Tivo and PVRs (Personal Video Recorders), by enabling the viewer to bypass commercials, are possible threats to traditional broadcasters. However, product placement or higher subscription fees may be some of the solutions. VOD (Video on Demand) also seems to be a promising market.

■ Multinational Transmissions

The issue of the application of the tariff of the country of destination has been raised due to the increasingly international character of the use of the works. In satellite broadcasting, the question of multi national transmission has existed for some time and the tariff applied is the one of the society granting the authorisation. More generally, concerning multinational offerings, either the licence is granted locally by each local society, each applying its own tariff, or a global licence is given – which is the wish of the users - by one society or a group of societies – but in this case, the question remains to decide which tariff should be applied.

Documentation & Distribution Techniques and Principles

■ A Global Database on Distribution Methods of Authors' Societies

One of the recent achievements of the Distribution Committee is the global database on the distribution methods and rules implemented by CISAC member societies. This secure database, accessible on-line, has been administered by CISAC since mid-2003. All CISAC members can have secure access to this tool for sharing knowledge on distribution rules. As of 2005, 35 societies, out of the 45 (64%) which asked CISAC for an access code have completed all or part of the questionnaires prepared in the 7 major distribution fields, namely cable, cinema, live and recorded music, radio, television and private copying.

In February 2005, a satisfaction survey was launched with a view to lead to specifications for a new version of the database including new functionalities, improved content as well as participation and access to the database.

With the music categories successfully in place, CISAC will now turn its attention to including other repertoires in the database. The CT-DLV and CIAGP are currently investigating the benefits of such a database on distribution methods for authors' societies managing DLV and AGP repertoires, as well as the methodology needed to adapt the one developed by musical societies.

■ Proposed Solution for Distributing Royalties from Online Use

In the light of the practical difficulties in fully implementing the provisions of the Santiago and Barcelona Agreement for distribution of cross-border licensing revenue from online exploitation of musical works, CISAC adopted in June 2004 the proposal of the Distribution Committee for a temporary solution.. The Hong Kong resolution – dubbed “The ‘Colosseum Solution and Guidelines’ for Distribution of On-Line Revenues” – took effect January 1, 2005 and replaces the Tallinn Resolution.

Simultaneously, although the societies' approaches differ at times, the Distribution Committee is continuing its efforts to find a common solution concerning the allocation of performance right and reproduction right royalties accruing from the various forms of online uses of works.

Distribution Technical Committee

The Distribution Technical Committee (CT-R), now chaired by Alan Johnston (SAM-RO) who succeeded to Louis Diringier (SA-CEM), met in Hong Kong in May 2004 and in Durban in May 2005. The Committee works on distribution techniques and principles. In addition the Committee, along with CIS members, is working on a comprehensive guide on standards and rules applicable within the CISAC community in the documentation and distribution fields. A draft tool for identifying and harmonising these standards and rules was reviewed in Hong Kong in 2004 and is currently being validated.

■ Development of a Common Distribution Format

Extensive work was carried out from 2003 to 2005 to improve the existing distribution formats and merge them into a common format. The aim of the Common Royalty Distribution (CRD) format is to optimise distribution processes between societies and improve information exchange. After a testing period, societies should be able to introduce the Common Royalty Distribution format for distributions of royalties collected. The final implementation of the CRD format by all CISAC members is being planned for 1st January 2008.

■ Documentation Exchange Formats for Audiovisual and Dramatic Works

A major achievement of the CT-DLV has been the development of the electronic documentation exchange file format for audiovisual works. Adopted in 2003 as an official CISAC format, all audiovisual societies were urged in 2004 to implement it. Based on its experience with audiovisual works, the Committee has been working since last year on a similar documentation exchange format for dramatic works.

Authors' Contractual Relations

For a few years, CIAM and CIADLV have become increasingly interested in the contractual relationship between authors and publishers or audiovisual producers in order to help authors in their negotiations.

Based on the results of its survey, the CIAM deplors what it considers to be several deviations in the relationship between authors and music publishers:

- National laws regarding music publishers' roles are unclear, thus opening the door to all sorts of abuse.
- Certain public or private broadcasters who pressure hired authors into signing "contract for publication", thus assigning all of their creator's rights to the broadcaster while completely bypassing authors' societies.
- Certain publishers try to use sub-publishing contracts from different countries in order to take a larger piece of the pie to the detriment of authors.

In their relations with publishers, authors should refer to the model author/publisher contract adopted by CISAC in 2000. Societies also have a fundamental role to play in helping inexperienced authors negotiate their contracts.

At its 2005 meeting, the CIAM, assisted by CISAC's legal experts, is planning to release "Recommendations for Contractual Relations Between Authors and Publishers" (good practices, minimum requirements and legal advice).

International Council of Authors and Composers of Music

The International Council of Authors and Composers of Music (CIAM), now chaired by Pia Raug (KODA) who succeeded to Jacques Demarny (SACEM), met in Copenhagen in September 2003 and will meet in Amsterdam in September of this year. Serving as the forum for music creators, CIAM has recently discussed the contractual relationship between authors and publishers, the consequences of mergers within the music industry with regard to authors, the increasing protection of neighbouring rights and its impact on authors' rights, as well as the preservation of cultural diversity.

■ Recognising Directors as Authors of their Films

The recognition of directors as authors of their films is an issue that has been the norm for continental Europe for some time. However, it has not been as easily adopted by those countries under “Anglo-Saxon” Law. Only as recently as 1998, with the adoption of the Lending Right Directive, have British directors been included among a work’s authors. This successful achievement of DPRS gives British directors the right, among others, to supervise all the steps in the creation, production and post-production of a film. In the USA, the DGA has just obtained recognition of directors as ‘creative authors’ of a work. However, from a legal standpoint, it is still the producer who is recognized as the film’s ‘economic author’.

The CIADLV also considered the legislation and contractual practices regarding audio-visual works in Europe. Considering the variety of situations on that continent, the CIADLV recalled to what extent authors’ societies and CISAC have an important role to play with regard to the model contract for the production of audio-visual works in order to advise and support authors – notably “inexperienced” ones - when negotiating with producers. The widespread practice among producers to impose conditions based on the “copyright” philosophy as opposed to the “author’s rights” philosophy was unanimously denounced.

■ The Contractual Relationships between Authors and Book Publishers

The CIADLV also reviewed the results from a survey on the relationship between authors and publishers regarding the audio-visual use of a written and published work. In most countries a separate contract to the contract for the publication of the work is provided – even compulsory - in the advent of an audio-visual adaptation of said work. However, it is practically impossible for authors to retain the right to renegotiate the terms of the audio-visual adaptation contract once such a project arises.

■ Authors’ Rights for Theatrical Works

Holding the CIADLV meeting in Santiago de Compostela was an opportunity to review the situation of authors’ rights for theatrical works. On that issue, the CIADLV officially recommended that all types of revenue (ticket sales, subsidies, sponsoring, etc) generated from the use of dramatic authors’ works be taken into account in calculating their royalties.

The Dramatic, Literary and Audiovisual Repertoire

The management of the dramatic, literary and audiovisual (DLV) works and the status of their authors are addressed in two CISAC forums: the **International Council of Dramatic, Literary and Audiovisual Authors (CIADLV)**, met in Brussels in September 2003 and in Santiago de Compostela in April 2005 and is now chaired by Claude Champion (SSA) who succeeded to Pétér Fabri (ARTISJUS); **The Dramatic, Literary and Audiovisual works Technical Committee (CT-DLV)**, chaired by Suzan Dormer (DPRS), met in Cancun in November 2004 and will meet in Prague in October 2005.

The CIADLV has, in recent times, been particularly interested in the relationship between creators and internet content providers, the treatment of journalists working for internet publications and the implications of CIS and other digital tools.

The CT-DLV has recently tackled cable retransmission rights, private copy management and distribution, documentation exchange formats and DLV rights in the digital environment

Spotlight on Visual Arts

■ CISAC Work Plan for Latin America and Eastern Central Europe

In light of adverse economic conditions affecting the region, CISAC is committed to supporting the development of the visual arts repertoire in Latin America with CIAGP's proposed 3 to 5 year Work Plan, to be coordinated by Regional Director Martin Marizcurrena. The Work Plan calls for a broad range of concrete initiatives including financial support for creating visual arts societies, on-site technical training led by experts from foreign societies, investment in IT equipment, the creation of a region-specific Legal Committee, and the creation of a common image bank.

A top priority for 2005 is promoting the creation of a visual arts society in Argentina. CISAC, along with WIPO, is helping lay the foundation for setting up such a society and launching an awareness seminar for artists on the benefits of collective administration. Costa Rica, the Dominican Republic and Guatemala exhibit conditions conducive to the creation of visual arts societies and will be the countries where CISAC plans to concentrate its efforts in the future.

CISAC is also supporting the development of visual arts societies in Central and Eastern Europe. Dedicated trainings and legal assistance are being organised by the Regional office within the framework of the CISAC strategy for this region.

■ Towards the Collective Management of Visual Arts in Asia

The CISAC Asia-Pacific office is currently working to determine the feasibility of establishing some form of collective management of visual arts in the region. Fact-finding missions will be conducted followed by a series of national seminars in key visual arts countries, to be followed by national and regional seminars in the major visual arts-producing areas. The CISAC Office will also assist in the submission of a paper on "droit de suite" (resale right) to the Malaysian government.

International Council of Authors of Graphic, Plastic and Photographic Arts

Reflecting the special conditions related to the management of the visual arts repertoire, the International Council of Authors of Graphic, Plastic and Photographic (CIAGP) unites creators from this domain as well as "technicians" from their authors' societies. Meeting in Copenhagen in June 2003 and in Mexico in February 2005, the CIAGP has focused its attention on emerging markets, the resale right, the management of rights in the digital environment, reprography, licensing agreements and the impressive growth of image databanks among AGP societies. The President of SOMAAP, Julio Carrasco Bretón was elected Chairman of the CIAGP to succeed Bernard Tagwerker (Pro-Litteris), while Christiane Ramonbordes (ADAGP) was elected General Rapporteur.

■ Implementing the Resale Right

As a result of the EU Directive of September 27, 2001 requiring the resale right to be introduced and harmonised throughout the European Union, Member States have until January 2006 (or in part until January 2010 for those enjoying a transitional period) to implement the Directive in their national laws. With this in mind, the societies within EVA, in collaboration with ADAGP, have produced a paper containing suggestions for an efficient and simple management of the resale right based on common rules, being aware that the success and acceptance of the resale right depend largely on the operation of a smooth administration system. Notwithstanding the hostility of market players in the European countries which had not supported the resale right, these virgin territories are not weighed down by any precedent, a factor that is likely to favour rapid implementation of the 2001 Directive. By contrast, the European countries that enforce this right or have recognised the principle of it may experience more technical difficulties because they are encumbered with weighty procedures which make any change more arduous (in France particularly).

Leaving aside each territory's specific problems, the important thing in achieving the objectives of the European Directive is still the implementation of recital 7 (referring to Article 14 of the Berne Convention on the worldwide implementation of the Resale Right), which is the key to harmonising the world art market.

Despite intensive efforts on the part of ProLitteris and other cultural organisations, Switzerland, has declined to address the resale right in the forthcoming revision of its copyright law. Yet, in Australia, the government has committed itself to discussing the introduction of these rights. In Mexico, the CIAGP adopted a resolution supporting SOMAAP's appeal to the government to publish decrees implementing resale right as provided for in the Federal Copyright Law of 2003.

■ Online Art System Now Online

As of January 1, 2005, the OnLine Art system began operating as a one-stop shop. Open to all CISAC member societies, OLA operates on the basis of common tariffs, which centralises the licensing of the communication to the public right and controls the use of the works on the internet thanks to one common server (managed by ADAGP). Established in 2002, the OLA has signed with its associates a contract, based on the CISAC reciprocal agreement, which regulates the mandate and the licensing modalities.

OLA is thus the response of visual arts authors' societies to the requests from the market, supported by the EU, to develop business models for easy access to multi-territory licences for cross border uses.

■ Defending Private Copying

Although private copying is a very important right for the visual arts societies, it is applied very unevenly from country to country. To this end, a CIAGP working group on private copying has been formed, consisting of ARTEGESTION, BEELDRECHT, SIAE, AGADU, SOMAAP, BONO, BUS, ADAGP, APSAV, BILD-KUNST, VAGA and PROLITTERIS. This group is responsible for defending the rights of visual artists, discussing rates, laws, royalty collection and distribution for private copying. The CIAGP recalls that distribution keys applied between the different repertoires in the analogue world will have to be adapted to the new rules of the digital world that accounts for a strong increase of reproduction of images.

■ Management of Television Broadcasting Rights

At the CT-RTV meeting, ARS and ADAGP referred to the obstacles encountered in collecting television royalties from broadcasters for the AGP repertoire in the US and in Europe. On the whole, the difficulties that the European visual arts management societies have in collecting proper remuneration for the use of their works by television broadcasters are particularly prevalent in those territories where this sphere of creation is not included in the general licensing contracts currently in practice.

■ Visual Arts Image Databank

To meet ever increasing calls from users for a one-stop shop to provide content (photos of works) and issue licenses for use, several authors' societies have either developed their own image banks or have entered into agreements with certain museums and photographic libraries to manage the rights in their databases. A CIAGP working group will survey the conditions for establishing a common image bank for Latin-American societies.

Reinforcing CISAC's Legal Activities

■ The New Technologies – Lawful Use

Whilst ever vigilant to the dangers caused by the unlawful exploitation of copyright (as outlined earlier 'Fighting Internet Piracy to Protect Creativity'), Societies continued to play their part in creating the right environment in which the lawful exploitation of copyright might be encouraged. In this regard, discussions between Societies and the European Commission have been held over the last two years on exactly how to put in place a worldwide internet licensing system. These discussions at first centred around the so-called Santiago Agreement, the intention of which was to free the user from the obligation to obtain licences from each national society. In its place, the user was able to obtain a single worldwide non-exclusive licence more quickly and more easily. In light of the constructive nature of those discussions, CISAC's members were surprised and disappointed when the European Commission published in 2004 a "Statement of Objections" relating to the practical implementation of the Santiago Agreement. Following the Commission's objections, intense discussions are continuing on how best to license copyright works in the on-line environment.

Legal Committee

CISAC legal activities are addressed by both the CISAC Legal Committee, chaired by Paul Spurgeon (SOCAN), and CISAC Director of Legal Affairs David Uwemedimo. The newly formed Legal Committee (replacing the former Legal and Legislation Committee) met for the first time recently in Bruges on May 2005 to discuss the latest legal issues and formulate long-term solutions to these concerns.

■ International Legal Activity

On the international legislative front, CISAC has forged an effective, vociferous and well-respected lobbying force with other rights holders. This **coalition of rights holders** has made its presence felt, not just at the standing committees of **WIPO** over recent years, but also in between meetings of the standing committee. The topics on which CISAC has intervened include the rights in audio-visual performances; the rights in non-original databases; the extent and nature of the rights that should be granted to broadcasters; and the WIPO Development Agenda.

In addition, CISAC has in recent times used the policy of a rightsholders' coalition to maximum effect in another domain, namely in the domain of the **World Summit on the Information Society** (WSIS). Over the last two years, preparations have taken place for a two-phase World Summit organised under the high patronage of the UN Secretary-General. The rationale behind the Summit is that, given the arrival of the information society, the successful and continued growth of this society requires global discussion and harmonisation in appropriate areas. Over the past two years, CISAC and its allies have used the various WSIS preparatory committee meetings and regional conferences to advance the idea that creators, publishers and producers of content are key actors in the information society, and that the supply of a diversity of creative works and content is an essential engine for social, cultural, political and economic development.

Although the documentation endorsed at the First Phase of the WSIS adopted a wide range of themes concerning the Information Society, there was little reference to intellectual property. Naturally it would have been desirable for the WSIS initiative to have been used to further the IP cause. Nevertheless, in view of the fact that the telecoms-dominated WSIS initiative commenced with decidedly anti-IP sentiment, many IP interests feel that the fairly neutral final documentation was a positive result. The second phase is due to take place in November 2005.

■ National Legal Activity

Switching to the national front, CISAC has also been extremely active in encouraging and supporting its member societies. Several CISAC interventions in writing and in person have been made on behalf of its members in a number of countries, including the following:

- **Argentina** – CISAC has opposed draft legislation that would establish harmful exceptions for collective administration. It has also been engaged in lobbying and helping to draft the private copy law currently being developed.
- **Bosnia and Herzegovina** – CISAC called upon the authorities urgently to undertake the most appropriate measures to stop the flagrant violation of the rights of the authors in that territory and to ensure the effective implementation of the obligations laid down in the Copyright Act of Bosnia and Herzegovina as well as in the Berne Convention.
- **Cambodia** - CISAC participated in a WIPO study on the newly enacted copyright law and the feasibility of establishing a collective management organisation.

- **Mainland China** – CISAC cooperated with its US member societies to successfully lobby the US to include in the USA IP programme in China a provision to establish a royalty rate for Chinese broadcasters.
- **Colombia** – CISAC assessed the impact of the proposed new copyright law on the creative community.
- **Cuba** – CISAC reviewed the proposed new law and submitted its views in relation thereto.
- **Latin America Region** – CISAC, via its Ibero-American Committee and Legal Committee, has been closely following the development of the Free Trade Agreement of the Americas (FTAA). CISAC is hoping to convince government authorities involved in the talks of the separation between culture and commerce, and the need to protect cultural diversity.
- **Namibia** – CISAC carried out a joint mission with UNESCO. The mission included a meeting with the Deputy Minister of Culture. CISAC expressed its views on the proposed new legislation concerning the establishment of a National Copyright Council. CISAC was anxious to ensure that the introduction of yet another governmental structure did not hinder in any manner or form the exercise by the creative community of their private intellectual property rights.
- **Nigeria** – CISAC emphasised its support for its local member MCSN which was experiencing acute difficulties as a result of statutory provisions regulating the operation of copyright societies.
- **Pacific Countries** - CISAC participated in a WIPO study on the copyright protection systems in the Forum Island countries and on the administrative and financial feasibility of pursuing a regional approach to the collective management of rights in the region.
- **Peru** – CISAC was involved in monitoring the passing into law of new provisions relating to the rental right, the internet, private copying and the collective management of rights.
- **Romania** – CISAC and BIEM intervened to oppose proposed changes to the copyright law. The two organisations submitted that the pre-defined criteria set out in the proposals intervened in private negotiations between private organisations, thus hindering the freedom of those parties to agree contractual terms on the basis of market conditions.
- **Russia** - Representatives of CISAC and of BIEM met with the Russian Federation's then Deputy Minister of the then Ministry of Press, Television and Radio Broadcasting and Means of Mass Communication of the Russian Federation to emphasise CISAC's long-held belief that one society in Russia per repertoire was the most desirable approach to collective administration.
- **Serbia** – CISAC noted the high level copyright infringement and the lack of support from the relevant competent government bodies. It therefore urged the Government to undertake more efficient measures to suppress piracy and to implement existing legislation, both in the field of authors' rights and criminal law.
- **Slovakia** - CISAC noted with deep concern that the transposition draft laws in Slovakia seemed to diminish long-established rights of authors and composers especially in relation to audio-visual works. In particular, the then draft amendments to Slovakia's copyright laws appeared to make provision for the producer to exercise all copyright control in relation to an audio-visual work. Alarmed by this situation, CISAC urged the authorities of the countries in the process of accession to the EU to prevent the accession process from leading to a reduction in the rights of the creative community.

- **Sri Lanka** - CISAC participated in a WIPO study on the recently amended copyright law and the feasibility of establishing a new collective management organisation under the new law. CISAC also provided feedback on the regulations governing the collective management of rights.
- **Trinidad and Tobago** – CISAC made submissions to the Government on the importance of having only one society per repertoire per country.
- **Uruguay** – CISAC aided in drafting part of the regulatory decree of the country's new copyright law.
- **Venezuela** – CISAC has expressed the utmost concern about proposals to amend the country's copyright laws in a way which is extremely detrimental to the interests of the creative community.
- **Vietnam** – CISAC participated in a WIPO mission and provided its assessment of the current copyright law, as well as made proposals pertaining to accession to the international copyright conventions and the formation of an authors' society in Vietnam.
- **Zimbabwe** – CISAC participated at a seminar organised by WIPO. CISAC expressed its concern about government plans to create a statutory copyright society and underlined its support for the existing society, ZIMRA.

■ Competition Law

The last two years have seen powerful users attempting to take advantage of competition laws in an apparent attempt to reduce royalty rates and to undermine the long-held principles of collective administration. As part of this continuing trend, **Music Choice Europe** plc, a digital audio broadcaster, submitted a complaint to the Commission on 2 April 2003. The Complaint essentially alleged that CISAC, as an association of societies, has played a role in initiating, coordinating and recommending CISAC's model reciprocal representation contract, and that this contract prevents a broadcaster from obtaining a single EU/EEA-wide licence covering the uplink of broadcast signals by satellite and the subsequent cable retransmission of those signals.

CISAC provided a robust response to the Complaint, stating, among other points, that the only efficient way of licensing cable operators is, as it is currently the case, that each national society licenses the worldwide musical repertoire to the operators located in its own territory. CISAC has responded to several questionnaires sent to it by the Commission. Several CISAC members have also received questionnaires from the Commission. CISAC is now awaiting a substantive response from the Commission.

■ Legal Committee

Amongst the highlights of the first meeting of the newly formed Legal Committee was a half day session dedicated to the legal challenges and opportunities of on-line exploitation. Within this session, members particularly benefited from interacting with guest speakers Mr Tilman Lueder of the European Commission DG Markt D/1; Mr Lauri Rechardt of IFPI; Mr Jorgen Blomqvist of WIPO and Ms Petya Totcharova of UNESCO.

Signalling its intention to provide a proactive legal assistance to the creative community, the Committee established three working groups. Each group will examine one of the following topics:

- **CISAC's Contract of reciprocal representation** ("Contract") - The task of the working group will be, inter alia, to analyse the Contract from a competition law perspective and – if necessary - to refine the Contract's clauses.

- **CISAC's Statutes** - The task of this group will be, inter alia, to provide a consolidated, coherent and comprehensible version of the statutes.

- **The use by third parties of CISAC's subsystems** - At its Board meeting in Cannes on 28 January 2005, the Board requested a group of lawyers from the Committee to refine (in conjunction with the relevant business working groups) the terms and conditions of use that might be granted to publishers in respect of access to CISAC's subsystems. The task of this Working Group will be to execute that request.

Communicating with Members

To be successful an international organisation such as CISAC needs the creation of advanced communication, documentation, and information tools. In 2004, there are more documents and information resources available to CISAC members than ever before, nearly all of which can be accessed via the CISAC website: www.cisac.org.

■ The CISAC Website: New and Improved Search Engine

The CISAC website is already a treasure trove of information on authors' rights, and a valuable information source for CISAC members. It contains a wide variety of current news, documentation, data, and contacts useful for societies' day-to-day activities or long-term projects. With improvements made this year to the CISAC website's search capabilities, it is now easier than ever for CISAC members to find those documents and more in just a few clicks on www.cisac.org. The new search engine, now highly visible on the left-hand side of the website, incorporates two important navigation changes: a new search field and an advanced search link to guide you step-by-step in your online search.

A completely new version of the CISAC website is due to be delivered in 2006.

■ Access to All CISAC Decisions Since 1926

Over the past several years, the CISAC Documentation Department has been working diligently to have every CISAC document dating back to its foundation scanned, numbered and uploaded. In 2004, all the resolutions and decisions adopted by CISAC since its founding in 1926 are now available on the CISAC website. In addition, the Documentation Department has electronically archived the equivalent of 18 years worth of meetings, covering 1982 to 2000. This amounts to thousands of documents now preserved on CD-ROM, which are in the process of being integrated into the document section of the CISAC website. The next section of documents to undergo this process will cover 1926 to 1981.

With the concise format of the advanced search, you now have approximately 4500 documents in three languages at your fingertips!

■ CISAC Publications

CISAC does not solely rely on its website to make information available to its members. In fact, the confederation takes a multi-pronged approach in its communication strategy, producing several informative publications to help keep member societies informed.

- Perhaps the best known of CISAC publications is the colourful, 62-page **CISAC News**—a dynamic, trilingual quarterly magazine covering CISAC, community, and business news. In 2004 and early 2005, CISAC News focused on such varied topics as: the development of the legal online market and the Grokster case; the 2004 CISAC World Congress; the implementation of the Copyright Directive in European countries, a Focus on authors' societies representing EU new members; the resale right.; and special features on regional issues.

- In 2004, CISAC, in association with BIEM, launched an additional newsletter, complementing the CISAC News but sent to CISAC Members exclusively. The weekly **BIEM-CISAC Headlines** reviews the latest news concerning BIEM and CISAC's members and repertoires.

- To better cover the day-to-day activities of the Confederation, CISAC's Communication Department began in 2003 to produce **CISAC Communications**, the brief, summaries following each CISAC committee or council meeting. Sent to CEO's, international affairs directors, and communication officers, CISAC Communications provide a rapid overview of the major decisions and discussions of each CISAC meeting.

- On the occasion of the 2004 CISAC Congress, the Communication Department published several publications created specifically for the event: **CISAC Technology Report**, the latest word on wireless; **Regional Collections Report**, an overview of CISAC Members collections worldwide; **Focus on Asia**, an extensive review of the region's copyright situation; **CISAC Copyright Map**, an overview of the state of copyright and authors' rights around the world. In addition, the Congress was covered daily in the **CISAC Daily News**.

- CISAC continued in 2004 and early 2005 its relations with the media issuing **press releases** on the most significant news: the launching of CIS-Net and ISWC-Net, the CISAC Congress, the new statutes and Board of Directors to govern CISAC, the international alliance of rights owners *amicus brief* urging U.S. Supreme Court to reverse the Grokster decision, and the worldwide introduction of ISAN.

■ Redefining the Mission of the Communication Committee

Initially, the Communication Committee's sole tasks were handling marketing and PR activities with the aim of improving CISAC's internal communications. Nearly two decades later, however, the committee has blossomed into a more internationally-focused group that works hand-in-hand with the team of communications professionals at the Secretariat. Given this major shift, the Committee felt compelled in 2004 to redefine its role and mission for CISAC. With this in mind, the Board of Directors meeting in June 2005 will discuss proposals of the Communication Committee for a new mandate and a global communication strategy.

Communication Committee

The Communication Committee met in Zurich in May 2004 and in Paris in April 2005. Sophie Duhamel (SACEM) was elected Vice-Chairwoman of the Committee while Chairman Roy Oppenheim (SUISA) was re-elected to a second term.

Other recent topics targeted by the Communication Committee include the preparation for the 2004 CISAC World Congress, education and awareness campaigns, promoting communication techniques to small societies without a dedicated communications department, the use of audiovisual tools and new media tools in communication strategies.

■ 2004 CISAC Congress

The 2004 CISAC World Congress returned after 20 years to Asia at the invitation of South Korean music rights organization KOMCA, with the participation of KOZA and SACK. The chosen theme for the Congress (October 18 to 21, 2004) was “**Championing Creators and their Rights: supporting creators and cultures in a global market through the work of Authors’ Societies**”. A high number of “small” CISAC member societies could attend the event thanks to CISAC financial support.

The Director General of the World Intellectual Property Organisation (WIPO) Dr Kamil Idris opened by a video message the two days of public conference program preceding the CISAC General Assembly. The prime topics for the CISAC Congress included the tangible and intangible value of creativity, education and communication involving governments and the public, and a particular focus on the host region, with sessions and debates including:

- Collective rights management for creators – now more than ever.
- The creator, the public and public policy.
- The CISAC global information network: progress through partnerships.
- Online distribution of content: achieving a licensed environment.
- Strengthening of the development of collective management in Asia.
- East-West creators’ rendezvous sessions.



Another “first” for a CISAC Congress was the extraordinary evening of entertainment, made possible by the efforts and generosity of CISAC Asia Pacific Societies, which brought together traditional and pop performances from throughout the region.

CISAC Gold Medals 2004

The tradition of awarding the CISAC Gold Medals during the Congress primarily recognized in 2004 creators from South Korea and other nations in the host region:

- Successful creator, performer and recording artist, Professor Dr Her Royal Highness **Princess Chulabhorn Mahidol** (Thailand)
- Innovative and successful composer, **Isao Tomita** (Japan)
- Award-winner composer for theatre, writer of many national popular songs and a founding member of KOMCA, **Pan Ya Wol** (Korea)
- Award-winner director, **Im Kwon Taek** (Korea)
- Internationally-renowned artist, **Zao Wou Ki** (China)
- Successful and greatly respected composer, **Kim Dong Jin** (Korea)
- Poet and Human Rights Advocate, **Kim Ji Ha** (Korea)
- CISAC President and successful jazz musician and songwriter, Professor **Christian Bruhn** (Germany).



Digital Management of Intellectual Property Rights and Information Technologies



In response to the digital revolution, CISAC has been developing since 1994 its own programme in the field of digital management of intellectual property rights, namely the Common Information System (CIS).

CISAC's objective in developing the CIS is to create a global digital system to support every CISAC member society's rights management operations, based on the unique, standardised identification of works and a network of information databases between CISAC societies. By enabling authors' societies to optimise their day-to-day administration and information exchanges, the CIS plan seeks to enable CISAC members to benefit from economies of scale by automating transactions and data flow and allowing more accurate, faster royalty distributions between CISAC societies today and, perhaps tomorrow, between all the players in the cultural sector. Lastly, CIS provides the CISAC member societies with the technological framework required to enable them to license the use of their repertoires on the internet with total confidence.

CIS Vision

- A common information system is used by all CISAC members to increase the value of the represented rights. For example, more timely, accurate, complete distributions and effective licensing of global exploitation of works.
- This system provides benefits to all members and repertoires, regardless of their geographical, financial or technological issues.
- CIS compliance is a requirement of CISAC membership.

A Decisive Year for the CIS Plan

2004 marked a decisive year in the development of the CIS plan with the launch of the network of databases, CIS-Net. CISAC has since then entered into an information phase organising regional CISAC information days (in Eastern and Central Europe, Latin America, Africa and Asia) to ensure that all member societies are aware of the latest development of the CIS tools, their use and operation.

Based on its experience in setting up the first phase of CIS-Net for the musical repertoire, CISAC is already concentrating its efforts on additional functionalities and on other repertoires.

However there is still much work to be done in the years to come. In the music sector, CISAC must ensure that CIS-Net will indeed enable the availability of information required for distribution operations, regardless of society. In the audiovisual sphere, the standardisation process has been completed and certain documentation databases do exist (ISAN, IDA). Further steps will be taken to secure the commitment of the entire community managing this repertoire. In the field of textual works, the standardisation process (ISTC) is about to reach the final phase.

In parallel, CISAC continues to work on the development of the other CIS tools (WID, AVIndex, IPI, TIS and SIS) and on other international major projects (such as MI3P, or MPEG21). CISAC maintains its co-operation with the music publishers on the deployment of the Common Works Registration Format (CWR).

CIS-Net Becomes a Reality

The concept of a network of databases – already envisioned when the CIS project was first launched in 1994 but technically difficult to achieve at the time – is taking on its full meaning with the launch in 2004 of **CIS-Net**. The now mature technology provides a means of interconnecting all the initiatives developed within the framework of the CIS plan and an access to the information to the entire CISAC community.



The signature of a memorandum of agreement in January 2004 on co-operation between CISAC and FastTrack marked the adoption of the FastTrack's products as the most appropriate technical solution to interconnect all databases and initiatives while respecting each one's individual features. From then on discussions progressed very rapidly, thus enabling the first version of CIS-Net to be demonstrated in October 2004 at the CISAC Congress in Seoul.

CISAC-FastTrack Master Agreement

CISAC and FastTrack signed the Master Agreement for CIS-Net at the 5th CIS Sessions in Athens in February 2005, solidifying the legal, technical and financial relationship between the two organizations. The Master Agreement, which includes the Service Level Agreement, lays out the terms and conditions under which CIS-Net services, provided by FastTrack to CISAC, will be made available to CISAC members.

During 2004 and 2005 (phase one of the project), top priority was given to making national repertoires available linking more than 40 authors' societies around the world, among which the **WID** suppliers, the **LatinNet** societies and the **FastTrack** members. The tools developed by FastTrack underwent an initial test phase, following which FastTrack's technical experts made a number of changes requested by CISAC. The search engine now enables the entire CISAC musical community to access over 80% of the national repertoires.

The CIS network will be open to the whole CISAC community for "**look-up**" and **queries** in phase two, starting from July 1, 2005 as planned, allowing all member societies to consult the national repertoires of the databases already connected to CIS-Net (accessible to users via a web interface cisnet.cisac.org). During its last two meetings in February and May 2005, the CSB agreed on the remaining questions concerning the deployment of the network (governance, business rules, educational programmes, and user's contract).

In phase three, from October 2005, additional musical societies and databases will be connected progressively to the CIS-Net. Testing is already underway to link other databases, including **DIVA** and eventually **MIS@ASIA**. Various scenarios will be possible for joining the network, from contributing to the WID to setting up one's own node (*see insert*).



WID, the CISAC musical work database administered by ASCAP, is a simple and cost-effective solution, as it uses classic data exchange mechanisms and is not very technically demanding.

How to Access CIS-Net

Starting July 1, 2005, the long-awaited "look-up" phase of the CIS-Net will be launched and CISAC members will have a new tool at their disposal to query documentation on musical works online. By then, musical societies will be able to request access to the network from the Secretariat via email at: cisnet@cisac.org. Each society will then be asked to appoint an administrator to be in charge of managing its own users. Each user created will be assigned a password allowing him or her access to the search engine via internet browser at <http://cisnet.cisac.org>

Member societies will be free to choose the scenario that best suits their needs to connect to the network.

Lastly, an additional phase of the CIS-Net development would enlarge the network to additional documentation information on musical works.

3 Options to Connect to the Network :

- The society may choose to contribute directly to the WID.
- The society may choose to join a pre-existing network or make their own repertoire hosted by a society already connected.
- The society may decide to set up its own node on the network by using the tools (standards, protocols) provided by CISAC

■ Launching ISWC-Net



Since its appointment by ISO as the **ISWC** International Agency, CISAC has been responsible for appointing local or regional agencies which in turn have authority to allocate ISWC numbers to musical works. In 2005, the network reaches over 35 agencies worldwide and 13 millions ISWC assigned, covering almost 60% of the international repertoire.

The International Agency unveiled in 2004 a new technical tool using the same exchange protocol as CIS-Net and enabling the agencies to open up public access to the ISWC numbers that some of them have been allocating for several years now. Known as the ISWC-Net, this tool is based on a distributed architecture. Each agency must connect its ISWC database to the network or to a connection node while a search engine enables users to search for a particular ISWC or for the data associated with an ISWC (e.g. a work's title and/or its creators).

Since October 2004 the initial ISWC-Net deployment phase allows authorised public access to the system (www.iswc.org)

■ Developing AV-Index

The **AV-Index** database, managed by MCPS-PRS on behalf of CISAC, is used more and more by CISAC members. This database identifies societies managing audiovisual cue-sheets, that is to say the list of musical works contained in an audiovisual work. While the AVR format (Audiovisual Request format) to exchange detailed information on cue-sheet is being implemented, CISAC in 2005 initiated a survey for an AVI web version to be integrated in CIS-Net.



The Audiovisual Repertoire in the CIS Plan

From the outset, CISAC's CIS plan has not been limited to the needs of the societies managing the musical repertoire. In the CAE's migration to IPI, the needs of the non-musical societies were a priority. Moreover, the creation of an audiovisual works database for the audiovisual societies was as fundamental as the creation of the WID.

■ IDA Transfer of Ownership to CISAC

In striving for a universal audiovisual database, it was agreed that the **IDA** database could thus serve as the basis for defining all the descriptive or technical standards for the CISAC audiovisual repertoire (glossary, data model, etc.). Therefore IDA's transfer of ownership to CISAC was approved in principle a few years ago and is now being finalised, following a recent decision of the "IDA Management Committee".

IDA, the Audio-Visual Database

Developed and managed by SACD on behalf of the IDA Management Committee, IDA is an online repository of information for the identification of the co-authors of an audiovisual work. The core data relating to an audiovisual work are the titles; the producer, the year of production, the country or countries of production; the co-authors and their IPI numbers, their roles and their respective shares in primary and secondary rights; technical information such as the type of work, its format or its duration; the performers; and the versions.

IDA currently contains about 246,000 audiovisual works, either unitary works (short films and feature films) or episodic series, documentaries, etc

With the experience gained recently by CISAC in setting up the CIS-Net, it should be possible to adopt an IDA development strategy that will enable every CISAC member managing the audiovisual repertoire to place its data at the disposal of the other members. Furthermore, CISAC's ownership of IDA should make it easier for non-European audiovisual societies and notably the US Guilds to contribute to and consult the database. This extension of the IDA user base to the entire CISAC community of audiovisual societies will guarantee that the documentation available is exhaustive and foster greater synergy with ISAN.

The finalisation of IDA's transfer marks a major step in the implementation of the CIS plan for the audiovisual repertoire.

■ ISAN-IA Now Fully Operational



ISAN

ISAN the International Standard Audiovisual Number is no longer a project, but a reality ready for worldwide expansion. Published as an ISO standard in 2002, ISAN has moved in 2004 into its implementation phase within the audiovisual industry.

ISAN-IA, the International Agency that administers the ISAN system and co-founded by CISAC, AGICOA and FIAPF, is now fully operational. Patrick Attallah joined ISAN-IA in September 2004 as its Managing Director. In 2004, ISAN-IA also appointed its first two registration agencies, in France: Agence Française ISAN, founded by and comprised of PROCIREP, ANGOA, ARP, SACD and SCAM, and in Switzerland: ISAN Berne, founded by and comprised of SUISSIMAGE, SSA and SWISSPERFORM. Other agencies in Australia, Canada, Hong Kong, Spain, the UK and the USA, are scheduled to come on board in 2005.

Since September 2004 and the launch of a website search engine (www.isan.org), the ISAN database has been accessible to the public. The website enables public users to obtain the ISAN of more than 100 000 audiovisual works and should include 250 000 works by mid-2005.

A complementary standard, known as Version Extension or 15706-Part 2 is currently being developed. The VE concept, which is supported by broadcasters, serves to identify what version of the work is shown. VE will consist of the ISAN number plus 8 digits, the common definition became ISAN 24 digits.

The Textual Repertoire in the CIS Plan

The **ISTC** is the keystone of the CIS plan's work concerning the literary repertoire. Defined as the international standard text code, ISTC is the numbering system for the identification of textual works. This standard concerns all kinds of written input, whether it be novels, poetry, newspaper articles or the lyrics of a song, the script of a film or a play. ISTC will be allocated to textual works and not to their reproductions (manifestations), be they physical productions like books and printed articles, or electronic books. The reason for this distinction is that existing identification systems, such as ISBN for books and ISSN for series (newspapers, magazines), already cover reproductions of textual works

■ ISTC International Agency

In October 2004, ISO appointed the consortium formed by CISAC, **Nielsen Book Data** and **R.R. Bowker** as the official ISTC Registration Authority, that is to say the International Agency for the management of the ISTC standard. An official structure, operating under English law as a non-profit organisation, was registered in January 2005 in London to manage the International Agency.

Although the official publication of the ISTC standard is expected only by end of August 2005, the consortium is already working on the implementation of the ISTC system consisting of a network of decentralised databases using a central search engine (similar to ISWC) in order to start the allocation of the numbers at the beginning of January 2006. A web site was created in May 2005 to allow access to information for the potential users and to support the recruitment of agencies. Six Registration Agencies are officially candidates, including CISAC societies CANCOPY, SCAM, ALCS, and The Author's Registry (USA).

It is time that CISAC member societies involved in the literary repertoire get strongly involved in the ISTC project in order to agree with the consortium partners on the business rules and procedures of this new International Agency. Given that ISTC is a standard defined equally by authors' societies and publishers, societies should remain active involved in the management of this standard along with the two prestigious partners of the book industry, Nielsen Book Data and R.R. Bowker.

Linking the CIS to Other Projects

CISAC strategy in the digital management of Intellectual Property rights reaches beyond the CISAC world as CISAC societies are active players in the global and interconnected creative business. The use of identification standards by third parties would enhance Identifiers' benefits and result in more timely and efficient royalty distribution. Therefore, it has been a priority for CISAC to link the CIS to other major international projects and incorporate to the CIS work previously carried out in parallel.

■ MI3P

Complementary to the main thrust of CIS has been the **Music Industry Integrated Identifiers Project** – known as MI3P. This joint project with the music industry was initiated by the International Federation of the Phonographic Industry (**IFPI**) and the Recording Industry Association of America (**RIAA**), joined later on by **CISAC** and **BIEM**. The four parties are now equally involved in all aspects of the project.

The present focus of MI3P is on the licensing of copyright works through globally uniform asset identification and sales reporting standards. This project is of particular relevance to the broader CIS agenda as it has the potential to provide a blueprint for the development of standards for exchange of information between societies and their licensees.. With this in mind, the CSB decided in February 2005 to adopt the MI3P standard as a CISAC standard in order to facilitate its integration within the CIS plan and therefore apply the CIS compliance rules and promote MI3P usage.

The major components of the MI3P Standard are therefore:

- The “Grid” identifying releases
- The MWLI, identifying the Musical Works license
- A set of messages relating to licenses and to standardised usage reports from licensees.

In 2004, CISAC was appointed as the Registration Agency for the **MWLI** (Musical Work Licence Identifier) which provides the identification and description scheme for Licences for the use of musical works. In parallel IFPI was appointed in 2003 as the Registration Agency for the **Grid** (Global Release Identifier), the international recording industry's standard for the identification of releases of sound recordings for electronic distribution.

The two major identifiers composing the MI3P standard are now available and we are currently finalizing the version 1 of the MI3P specifications. Before deploying the Standard, all issues pertaining to its governance and licensing terms still need to be sorted out. A legal ad hoc Working Group has been established so as to bring closure on all relevant legal issues such as intellectual property rights and all the joint governance rules.

So far the MI3P standard has been submitted for review to all on-line licensees in Europe and North-America and their response has been very encouraging, leading us to think that the adoption of the MI3P Standard will be strongly supported by the on-line Music retailers. It is anticipated that the MI3P standard will be made available to a first group of societies and online retailers for a test pilot upon the signature of the Binding Memorandum of Understanding between CISAC, BIEM, IFPI and RIAA scheduled for the end of July 2005.

■ MPEG 21



Again reflecting the resolve to contribute to the development of tools enabling its members to keep better track of works and their use, CISAC has been taking part since its inception in the work of the ISO/IEC working group responsible for defining the future multimedia framework **MPEG 21**. It is in a way the receptacle for all the MPEG 2, MPEG 4 and MPEG 7 standards together with the CISAC identifiers ISWC, ISAN, ISTC, etc. This infrastructure consists of seven layers, each with its own function. CISAC is currently chairing the **Event Reporting Group** (ISO/IEC 21000-15 group) mandated to define a ISO standard for the reporting of the usage of content within MPEG 21.

CISAC has also been appointed as the International Agency for two of these layers:

- **IPMP**, Intellectual Property Management Protection, since 2001,
- **DII**, Digital Item Identifier (21000-3), since February 2004.

The new portal (www.mpeg21.org) that CISAC created to assemble all the MPEG 21 layers was opened at the end of 2004.



CISAC 2004 Accounts



The final operating and financial results for 2004 show a deficit of 86,150 euros stemming from an income of 5,861,161 euros for expenses amounting to 5,947,311 euros.

The negative impact of currency variation is largely responsible for this result. Since many conflicting events, generally beyond CISAC's control, can alter currency values in CISAC accounts, this outcome is always difficult to avoid in terms of gains or losses.

■ 2004 Income

CISAC's total income amounted in 2004 to 5,861,161 euros.

Subscriptions from members represent 85% of the total 2004 income with an amount of close to 5,000,000 euros for the year.

For the first time, the 2004 accounts include the re-invoicing of CIS tools' operations costs for an amount of 366,033 euros. Only users (data suppliers and potential users of each tool) contribute to these costs.

The rest is composed of financial interests, various reimbursements and write off of provisions passed in previous financial years entailing a slightly positive difference with the initial budgeted income.

■ 2004 Operational Expenses

In 2004, CISAC's total expenses were 5,947,311 euros.

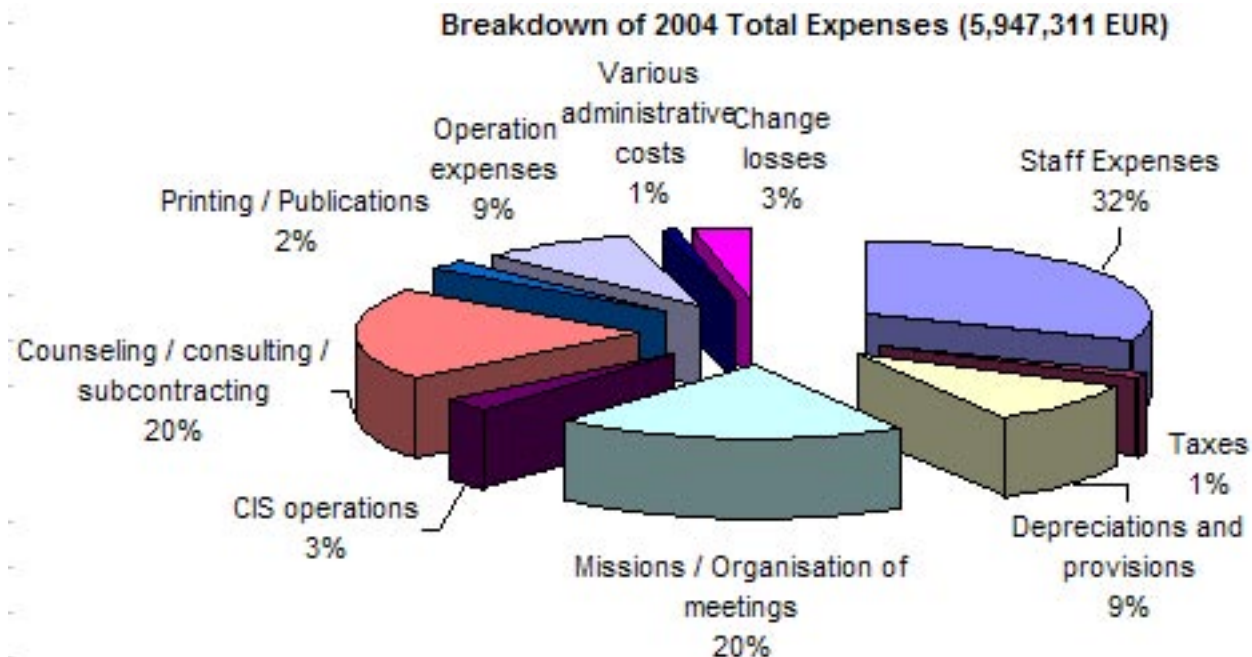
For the most significant aspects, 31% of the total was dedicated to personnel remunerations (salaries + related charges) for a total of 1,834,000 euros.

Expenses incurred within the framework of Secretariat staff missions abroad and the organisation of CISAC meetings (especially the Congress), on the one hand, and fees for counseling and consulting, on the other hand, were particularly high this year amounting respectively to 1,196,646 euros (20% of the total) and 1,204,012 euros (20% of the total).

As investments, especially those dedicated to CIS development, have been kept at high pace, the amount allocated to depreciations (and much less significantly to provisions), remained high at 563,602 euros (namely 9% of the total).

For the rest, administrative expenses accounted for 9% of the total, the CIS operational costs for 3% and change losses this year reached 3% of the total expenses.

The differences with the 2004 budget stem mainly from: the Congress in Seoul that required higher commitments than expected from CISAC in terms of organisation and logistics; currency exchange losses due to sharp variations during the year; unexpected financing need for part of the Phare Tacis programme that ended in 2002; much higher expenses to finance the MI3P project as CISAC was asked to pay for the entire society share (50% of the total costs, previously shared with BIEM); and higher requirements of legal counselling on difficult and/or sensitive issues such as investigation of the European Commission on respect of Competition Law and drafting of the CISAC new statutes.



■ CISAC Investments

For the period 2004-2005, the development of CIS has remained one of the main priorities of CISAC.

Thus, following the efforts that CISAC had led on the matter during previous years, significant resources have been dedicated especially to CIS-Net and ISAN in 2004.

The transfer of ownership of the Cue-sheets database AVindex, from MCPS-PRS to CISAC, was completed in 2004. Discussions with FastTrack, on the licensing of its technical solutions for operating CIS Net, have reached a successful end. Complementary developments have also been financed for the various databases under CISAC responsibility (AVI, WID, ISWC, Distribution methods, etc.). Continuous financial support, by the use of cash advances, has been provided to the development of the young ISAN International Agency (Audio-visual works ID number).

Finally, internal investments have also been maintained at a sustainable pace regarding the development of the CISAC Intranet due to be delivered in its first version, in 2006.

In 2005, priority of the investments is to be made on Audiovisual Repertoire. Thus, CISAC plans to complete the transfer of ownership of IDA, the audiovisual works database. At the same time, CISAC will fund a new phase of development for ISAN IA which is particularly crucial as this year should correspond to the deployment of Registration Agencies that will ensure the income of the International Agency.

■ 2004 Balance

The balance of the year 2004 has remained reasonably stable in comparison with 2003. The only significant aspects that can be stressed are, on the one hand, the logical decrease of the cash reserve and the increase of depreciations (heavy investments) which are compensated, on the other hand, by larger assets (resulting from the investments) and less provision.

All in all the balance of 2004 amounts to 5,625,186 euros



The People behind CISAC



In October 2004, the General Assembly renewed the terms of **CISAC President Christian Bruhn (GEMA)** and **Vice-President Victor Hugo Rascón Banda (SOGEM)**.

The new twenty-member **Board of Directors of CISAC**, elected by the General Assembly for a 3-year term, is composed of:

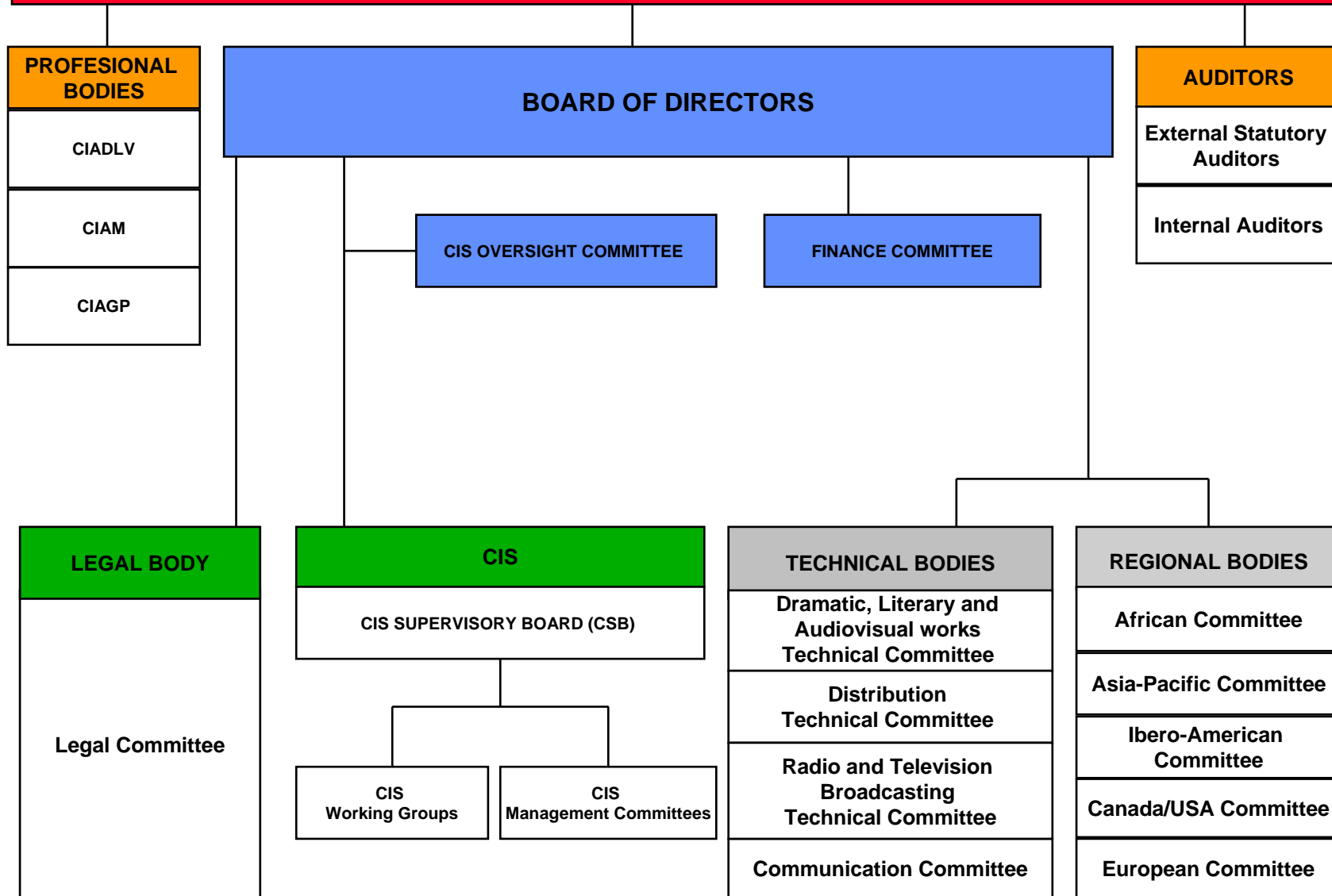
APRA (Australia)	: B. Cottle	PRS (UK)	: A. Singer (replacing J. Hutchinson)
ARTISJUS (Hungary)	: P. Gyertyánfy	SACD (France)	: J. Lorente
ASCAP (USA)	: J. LoFrumento	SACEM (France)	: B. Miyet
BILD-KUNST (Germany)	: G. Pfennig	SADAIC (Argentina)	: C.G. Ocampo
BMI (USA)	: F. Preston	SAMRO (South Africa)	: R. Hooijer
BUMA (Netherlands)	: C. Vervoord	SCD (Chile)	: S. Schuster
GEMA (Germany)	: R. Kreile	SGAE (Spain)	: E. Bautista
JASRAC (Japan)	: S. Yoshida	SIAE (Italy)	: G. Profita
LIRA (Netherlands)	: A. Beemsterboer	SOCAN (Canada)	: A. LeBel
ONDA (Algeria)	: H. Taousar	VEGAP (Spain)	: J. Gutierrez

Cees Vervoord (Buma/Stemra) was elected **Chairman of the Board** while Brett Cottle (APRA) and Gerard Pfennig (BILD-KUNST) were elected **Vice-Chairmen of the Board**.

The General Assembly also re-elected current Secretary General Eric Baptiste to a new six-year term that, under the new statutes, will be for a position of **Director General**.

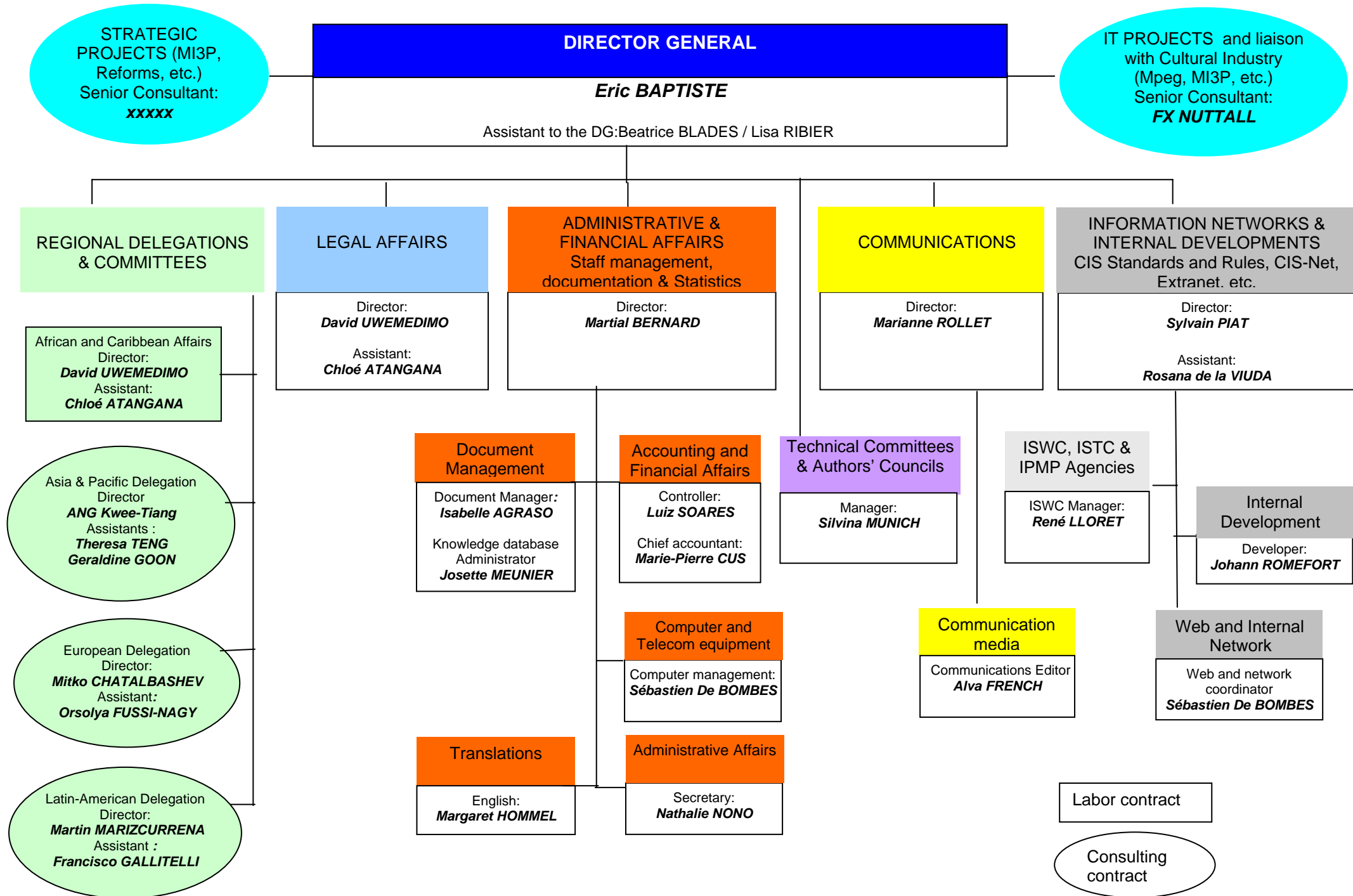
- **International Council of Dramatic, Literary and Audiovisual Authors:** Claude Champion (SSA)
- **International Council of Authors and Composers of Music:** Pia Raug (KODA)
- **International Council of Authors of Graphic and Plastic and Photographic Arts:** Julio Carrasco Bretón (SOMAAP)
- **African Committee:** Samuel Ahokpa (BUBEDRA)
- **Asia-Pacific Committee:** Edmund Lam (COMPASS)
- **Canada/USA Committee:** André LeBel (SOCAN)
- **European Committee:** Péter Gyertyánfy (ARTISJUS)
- **Ibero-American Committee:** Valentín Caruci (SACVEN)
- **Legal Committee:** Paul C. Spurgeon (SOCAN)
- **CIS Supervisory Board:** Eric Baptiste (CISAC)

CISAC GENERAL ASSEMBLY



C I S A C S E C R E T A R I A T

CISAC Internal organisation 2005



CISAC Members (as of 10 June 2005)

SOCIETY	MEMBERSHIP	COUNTRY
AACIMH	Provisional Member	HONDURAS
ABRAMUS	Ordinary Member	BRAZIL
ACAM	Ordinary Member	COSTA RICA
ACCESS	Provisional Member	CANADA
ACDAM	Ordinary Member	CUBA
ACUM	Ordinary Member	ISRAEL
ADAGP	Ordinary Member	FRANCE
ADAVIS	Provisional Member	CUBA
ADDAF	Provisional Member	BRAZIL
AEPI	Ordinary Member	GREECE
AGADU	Ordinary Member	URUGUAY
AGAYC	Associated Member	GUATEMALA
AKKA-LAA	Ordinary Member	LATVIA
AKM	Ordinary Member	AUSTRIA
ALBAUTOR	Ordinary Member	ALBANIA
ALCS	Associated Member	UNITED KINGDOM
AMAR	Ordinary Member	BRAZIL
AMCOS	Associated Member	AUSTRALIA
AMRA	Provisional Member	UNITED STATES
APA	Ordinary Member	PARAGUAY
APDAYC	Ordinary Member	PERU
APG-Japan	Associated Member	JAPAN
APRA	Ordinary Member	AUSTRALIA
APSAV	Provisional Member	PERU
ARGENTORES	Ordinary Member	ARGENTINA
ARMAUTHOR	Ordinary Member	ARMENIA
ARS	Ordinary Member	UNITED STATES
ARTEGESTION	Provisional Member	ECUADOR
ARTISJUS	Ordinary Member	HUNGARY
ASCAP	Ordinary Member	UNITED STATES
ASSIM	Provisional Member	BRAZIL
ATN	Ordinary Member	CHILE
AUSTRO-MECHANA	Ordinary Member	AUSTRIA
AUTORARTE	Ordinary Member	VENEZUELA
AUTVIS	Provisional Member	BRAZIL
AWGACS	Provisional Member	AUSTRALIA
AsDAC	Provisional Member	MOLDOVA, REPUBLIC OF

BBDA	Ordinary Member	BURKINA FASO
BCDA	Ordinary Member	CONGO
BEELDRECHT	Ordinary Member	NETHERLANDS
BELAT	Ordinary Member	BELARUS
BGDA	Ordinary Member	GUINEA
BILD-KUNST	Ordinary Member	GERMANY
BMDA	Ordinary Member	MOROCCO
BMI	Ordinary Member	UNITED STATES
BNDA	Ordinary Member	NIGER
BONO	Ordinary Member	NORWAY
BSDA	Ordinary Member	SENEGAL
BUBEDRA	Ordinary Member	BENIN
BUCADA	Associated Member	CENTRAL AFRICAN REPUBLIC
BUMA	Ordinary Member	NETHERLANDS
BUMDA	Ordinary Member	MALI
BURAFO	Ordinary Member	NETHERLANDS
BURIDA	Ordinary Member	COTE D'IVOIRE
BUS	Ordinary Member	SWEDEN
BUTODRA	Ordinary Member	TOGO
CASH	Ordinary Member	HONG KONG
CCL	Associated Member	TRINIDAD AND TOBAGO
CHA	Ordinary Member	TAIWAN, CHINESE TAIPEI
CMRRA	Associated Member	CANADA
COMPASS	Ordinary Member	SINGAPORE
COPY-DAN BILLEDKUNST	Ordinary Member	DENMARK
COSCAP	Ordinary Member	BARBADOS
COSGA	Associated Member	GHANA
COSOMA	Associated Member	MALAWI
COSOTA	Provisional Member	TANZANIA, UNITED REPUBLIC OF
COTT	Ordinary Member	TRINIDAD AND TOBAGO
CPSN	Associated Member	NEPAL
CREAIMAGEN	Ordinary Member	CHILE
CSCS	Provisional Member	CANADA
CopyRo	Associated Member	ROMANIA

DACS	Ordinary Member	UNITED KINGDOM
DALRO	Ordinary Member	SOUTH AFRICA
DGA	Associated Member	UNITED STATES
DILIA	Ordinary Member	CZECH REPUBLIC
DIRECTORES	Ordinary Member	MEXICO
DPRS	Ordinary Member	UNITED KINGDOM
DRCC	Provisional Member	CANADA
EAU	Ordinary Member	ESTONIA
FILM JUS	Ordinary Member	HUNGARY
FILMAUTOR	Ordinary Member	BULGARIA
FILSCAP	Associated Member	PHILIPPINES
GEMA	Ordinary Member	GERMANY
GESAC	Associated Member	BELGIUM
GESTOR	Provisional Member	CZECH REPUBLIC
HAA	Ordinary Member	CROATIA
HDS-ZAMP	Ordinary Member	CROATIA
HMS	Associated Member	SAINT LUCIA
HUNGART	Ordinary Member	HUNGARY
IMRO	Ordinary Member	IRELAND
IPRS	Ordinary Member	INDIA
JACAP	Associated Member	JAMAICA
JASRAC	Ordinary Member	JAPAN
KCI	Ordinary Member	INDONESIA
KODA	Ordinary Member	DENMARK
KOMCA	Ordinary Member	KOREA, REPUBLIC OF
KOPIOSTO	Associated Member	FINLAND
KOSA	Associated Member	KOREA, REPUBLIC OF
KUVAŠTO	Ordinary Member	FINLAND
KazAK	Associated Member	KAZAKSTAN
Kyrgyzpatent	Ordinary Member	KYRGYZSTAN
LATGA-A	Ordinary Member	LITHUANIA
LATINAUTOR	Associated Member	URUGUAY
LIRA	Ordinary Member	NETHERLANDS
LITA	Ordinary Member	SLOVAKIA
LITERAR-MECHANA	Ordinary Member	AUSTRIA
LVG	Ordinary Member	AUSTRIA
MACP	Ordinary Member	MALAYSIA
MASA	Ordinary Member	MAURITIUS

MCPS	Ordinary Member	UNITED KINGDOM
MCSC	Ordinary Member	CHINA
MCSK	Ordinary Member	KENYA
MCSN	Ordinary Member	NIGERIA
MCT	Associated Member	THAILAND
MESAM	Ordinary Member	TURKEY
MSG	Ordinary Member	TURKEY
MUSICAUTOR	Ordinary Member	BULGARIA
MUSIKEDITION	Associated Member	AUSTRIA
MÜST	Ordinary Member	TAIWAN, CHINESE TAIPEI
NASCAM	Ordinary Member	NAMIBIA
NCB	Ordinary Member	DENMARK
NMPA	Associated Member	UNITED STATES
OMDA	Associated Member	MADAGASCAR
ONDA	Ordinary Member	ALGERIA
OSA	Ordinary Member	CZECH REPUBLIC
OTPDA	Ordinary Member	TUNISIA
PAPPRI	Associated Member	INDONESIA
PROLITTERIS	Ordinary Member	SWITZERLAND
PRS	Ordinary Member	UNITED KINGDOM
RAO	Ordinary Member	RUSSIAN FEDERATION
SABAM	Ordinary Member	BELGIUM
SACD	Ordinary Member	FRANCE
SACEM	Ordinary Member	FRANCE
SACEM-LUXEMBOURG	Provisional Member	LUXEMBOURG
SACERAU	Ordinary Member	EGYPT
SACK	Ordinary Member	KOREA, REPUBLIC OF
SACM	Ordinary Member	MEXICO
SACVEN	Ordinary Member	VENEZUELA
SADAIC	Ordinary Member	ARGENTINA
SADEMBRA	Ordinary Member	BRAZIL
SADH	Ordinary Member	GREECE
SAMRO	Ordinary Member	SOUTH AFRICA
SARRAL	Ordinary Member	SOUTH AFRICA
SARTEC	Ordinary Member	CANADA
SAS	Ordinary Member	GEORGIA
SAYCE	Ordinary Member	ECUADOR

SAYCO	Ordinary Member	COLOMBIA
SAZAS	Ordinary Member	SLOVENIA
SBACEM	Ordinary Member	BRAZIL
SBAT	Ordinary Member	BRAZIL
SCAM	Ordinary Member	FRANCE
SCD	Ordinary Member	CHILE
SESAC Inc.	Ordinary Member	UNITED STATES
SESAM	Associated Member	FRANCE
SGA	Provisional Member	GUINEA BISSAU
SGACEDOM	Provisional Member	DOMINICAN REPUBLIC
SGAE	Ordinary Member	SPAIN
SGDL	Associated Member	FRANCE
SIAE	Ordinary Member	ITALY
SICAM	Ordinary Member	BRAZIL
SNAC	Associated Member	FRANCE
SOBODAYCOM	Associated Member	BOLIVIA
SOCAN	Ordinary Member	CANADA
SOCINPRO	Ordinary Member	BRAZIL
SODART	Associated Member	CANADA
SODRAC	Ordinary Member	CANADA
SOFAM	Ordinary Member	BELGIUM
SOGEM	Ordinary Member	MEXICO
SOKOJ	Ordinary Member	YUGOSLAVIA
SOMAAP	Ordinary Member	MEXICO
SOMAS	Provisional Member	MOZAMBIQUE
SONECA	Ordinary Member	CONGO, THE DEMOCRATIC REPUBLIC OF THE
SOPE	Associated Member	GREECE
SOZA	Ordinary Member	SLOVAKIA
SPA	Ordinary Member	PORTUGAL
SPAC	Ordinary Member	PANAMA
SPACEM	Ordinary Member	FRENCH POLYNESIA
SPACQ	Associated Member	CANADA
SQN	Ordinary Member	BOSNIA AND HERZEGOVINA
SSA	Ordinary Member	SWITZERLAND
STEF	Ordinary Member	ICELAND
STEMRA	Ordinary Member	NETHERLANDS
STIM	Ordinary Member	SWEDEN
SUISA	Ordinary Member	SWITZERLAND

SUISSIMAGE	Associated Member	SWITZERLAND
Suomen Kirjailijaliitto	Associated Member	FINLAND
TALI	Provisional Member	ISRAEL
TEATERAUTOR	Provisional Member	BULGARIA
TEOSTO	Ordinary Member	FINLAND
TONO	Ordinary Member	NORWAY
The Author's Registry Inc.	Associated Member	UNITED STATES
UACRR	Provisional Member	UKRAINE
UBC	Ordinary Member	BRAZIL
UCMR-ADA	Ordinary Member	ROMANIA
UCOSO	Provisional Member	UGANDA
UFFICIO LEGALE	Associated Member	HOLY SEE (VATICAN CITY STATE)
VAGA	Ordinary Member	UNITED STATES
VBK	Ordinary Member	AUSTRIA
VDFS	Associated Member	AUSTRIA
VEGAP	Ordinary Member	SPAIN
VEVAM	Ordinary Member	NETHERLANDS
VI\$COPY	Ordinary Member	AUSTRALIA
WGA	Associated Member	UNITED STATES
WGJ	Ordinary Member	JAPAN
ZAIS	Ordinary Member	POLAND
ZAMCOPS	Ordinary Member	ZAMBIA
ZAMP Macédoine	Associated Member	MACEDONIA, THE FORMER YUGOSLAV REPUBLIC OF
ZAMP Association of Slovenia	Provisional Member	SLOVENIA
ZAPA	Associated Member	POLAND
ZIMRA	Ordinary Member	ZIMBABWE